A

TRANSLATION

OF

TULLY de ORATORE.

By *G. P.*

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Cicero (M.T.)
-U
De Oratore. -
English.

The PREFACE.

I *Have endeavour'd to relate, intelligibly, the genuine Senſe of my Author, and to avoid all Excurſions, rather leaving out, than adding. For tho'* Tully *is not more correct or conciſe in any Part of his Writings, than in his belov'd Book* de Oratore, *yet to expreſs his Meaning in as ſhort Sentences, and as few Words, as poſſible, muſt be ſuitable in a Tranſlation of him, becauſe, as* Quintilian *obſerves,* Nihil demi poteſt Demoſtheni, nihil addi Tullio; *No Word can be ſpar'd in* Demoſthenes, *none added in* Tully.

The

The Preface.

The Rules of Oratory here laid down, are ſuch as are agreeable to Nature, which being the ſame in all Ages; the ſame Ways of Speaking will for ever move, inſtruct, and Delight.

The Part I have tranſlated contains the moſt material Precepts and Inſtructions of the whole Book, What Need is there then of ſurfeiting the Reader with a Repetition of the ſame Arguments, or a Multiplicity of needleſs ones, which will probably have no other Effect, but to hinder him from attending to, or reaping an Advantage from any of them?

A TRANSLATION OF *TULLY de Oratore.*

IF you remember, Brother *Quintus*, whilſt we were Boys, we had a ſtrong Fancy, that *Craſſus* had attain'd to no greater Pitch of Learning, than might be expected from a School-boy; and that *M. Anthony* was no Scholar at all: And there were many who, tho' they thought

otherwiſe, yet on purpoſe to diſcourage us the more, who were ſo mightily bent on thoſe Studies, would readily agree with us in our Opinion of theſe Oratours: And thence infer that ſince Men of no Learning at all could attain to the greateſt Skill and Perfection in Eloquence, our Diligence would be to no Purpoſe, and the Care of that Good and Wiſe Man our Father, in our Education, inſignificant. Whom we, though but then School-boys, us'd to confute by Inſtances brought from our own Relations, our Father, *C. Aculeo*, and our Uncle *L. Cicero*, remembring very well what our Father, and *C. Aculeo*, whom our Aunt liv'd with, us'd to ſay of *Craſſus*, and how frequently our Uncle, who died in his Travels with *Anthony* into *Cilicia*, talk'd to us of his Learning: And when we, with our Kinſmen, *Aculeo*'s Sons, follow'd that Courſe of Studies which *Craſſus* put us in, and were under

under thoſe Tutours which he recommended, we, when at that Age, eaſily perceiv'd that he could talk *Greek* as if it was his Mother Tongue, and that he ſtarted ſuch Queſtions to our Maſters, and diſputed ſo handſomely upon any Subject, that he ſeem'd to have an Inſight into every Thing. But as to *Anthony*, tho' we have often heard from that very good-natur'd Man our Uncle, *how he us'd to converſe with the moſt ingenious Men at Rhodes and Athens*; yet I being very young, as far as the Modeſty of thoſe tender Years wou'd permit, was often asking him many Queſtions myſelf. I need not repeat what I told you long ago, that as far as I could perceive from the very frequent Diſcourſes I had with him, he ſeem'd to be well ſeen in every Science I had any Knowledge of: But they both of them had a particular Humour; *Craſſus* he was very unwilling, not ſo much to have the World think he had not learnt, as that he deſpis'd thoſe

Accompliſhments, and preferr'd our own Skill in all Sorts of Learning to that of the *Grecians*: But *Anthony* thought his Eloquence would be more taking with People, if he gave out, that he never learnt them at all; One of them thought it more for his Credit to ſeem to deſpiſe, the other to be ignorant of the *Grecian* Learning; The Juſtice of whoſe Opinion I am not here to determine: But the Deſign of this Work, at preſent, is to prove, that not only the Art of Speaking well, but a general Knowledge is requiſite to the Qualification of a juſt Oratour; For many other Arts have no Dependance upon any thing elſe: But to talk handſomely, that is, with Judgment, Cloſeneſs, and Elegance, is no limited Province; nor confin'd to one Subject: He muſt diſcourſe well of every thing that is diſputable who pretends to be an Oratour, or he muſt reſign his Pretenſions to it. Wherefore I own, indeed, there have been very many

many in our Country, and in *Greece* too, (which always ſet a great Value upon theſe Things) of very good Parts, and laudable Speakers, who yet fell much ſhort of this univerſal Knowledge; but I am ſure that they could not arrive at ſuch a Pitch of Eloquence as *Craſſus* and *Anthony* were Maſters of, without the Knowledge of every thing that was neceſſary to this Profeſſion; or that they could have ſuch a fluency of Speech on all Occaſions as they had, is what I utterly deny; Which made me more willing to write down their Diſcourſe about theſe Things, either that I might remove that Opinion which has obtain'd hitherto, of One's being but an indifferent Scholar, the other none at all; or that I might preſerve in Writing thoſe noble Rules of Eloquence which were laid down by the greateſt Maſters of Oratory; if I could by any Means be equal to ſuch an Underdertaking: Or elſe, that I might, as far as I could, reſcue their Fame, now almoſt

moſt expiring, from Silence and Oblivion: For if they had had Writings of their own by which their Merits might have been diſcern'd, perhaps I ſhould think there was leſs Need of my Trouble or Concern about it; but when one has left very little which is extant, and that too publiſh'd by him when he was very young, the other nothing at all; I thought I ow'd ſo much to Men of ſuch extraordinary Parts, that if I could I would render their Fame immortal, whilſt it is yet freſh in our Memories: To which I am mightily encourag'd, becauſe I don't write now of the Eloquence of *S. Galba*, or *C. Carbo*, where I might have the Liberty of inventing what I pleas'd without Fear of any one's being able to contradict me; but what I now preſent the World with is, to thoſe who have often had the Converſation of the very Men whom I write of, that ſo I may tranſmit the Names of two

Great

Great Men to late Poſterity ſtampt with the Authority of the united Teſtimony of ſuch Perſons who were well acquainted with both of them, and are alive *at this* preſent *Time:* Nor, dear Brother, is my Deſign to inſtruct you by theſe Rhetorical Books, which you may think Pedantick; for what can be more fine or elegant than your Way of Speaking? But whether deſignedly, as you us'd to ſay, or as that Father of Eloquence *Iſocrates* ſaid of himſelf out of Modeſty, or a certain natural Baſhfulneſs, you have declin'd the Exerciſe of it; or whether you ſtill think, (as you us'd often to jeſt,) that one Oratour was ſufficient not only for one Family, but even for a whole Country: Yet I do not think theſe Books are ſuch as may be deſervedly deſpis'd by you for their Want of Learning, who have diſputed of the Art of Speaking; For nothing was omitted in *Craſſus* and *Anthony*'s Diſcourſe, which is attainable by Men of the greateſt Parts improv'd

prov'd by the cloſeſt Studies, the beſt Rules, and moſt conſtant Practice. Which will eaſily appear to you, who have attain'd the Skill and Art of Speaking by your own natural Genius, and would ſee the Uſe and Advantage of an artificial Eloquence in us. But that we may carry on this great Work we have taken in Hand, without any farther Advice of our own, let us proceed to repreſent the Diſcourſe of theſe Men as we propos'd to do. The next Day after about 8 o'Clock, when *Craſſus* was ſtill in Bed, *C. Sulpitius* ſitting by him, but *Anthony* was taking a Turn with *Cotta* in the Piazza, old *Q. Catulus* and his Brother *C. Julius* came thither accidentally; which as ſoon as *Craſſus* heard of, he got up in great Haſte, and all were amazed, ſuppoſing there was ſome more than ordinary Cauſe of their coming: But, when the uſual Complements were paſs'd on all Sides, Well, ſays *Craſſus*, what News? None at all, anſwers *Catulus*; you ſee this is only an idle

idle Time with us; but perhaps we may be unſeaſonable, or troubleſome. When *Cæſar* came to pay me a Viſit laſt Night at my Country-houſe at *Tuſculum*, he ſaid he met *Scævola* going from hence, who gave him an Account of your having had a long Diſcourſe about Oratory, and of your Diſputing as if you had been in one of the Schools of the *Grecian* Philoſophers; which I could not but wonder at, ſince I, who urged you ſo often with all the Rhetorick I had, could never get one Word from you: So my Brother aſk'd me to come along with him hither, for he ſaid a great Part of this Diſcourſe was put off till to Day; and I did at laſt comply with his Deſires; not that I was leſs deſirous myſelf of hearing you, but truly I was afraid I ſhould be troubleſome. If you think I was too haſty in doing this, you may ev'n thank *Cæſar* for it; if you take it as a Piece of Friendſhip, you are oblig'd to us both; however,

ever, if I am not troubleſome, I am very glad of this Opportunity. Then ſays *Craſſus*, I ſhould be very glad, whatever brought you hither, to have the Happineſs of your Company; but yet, to ſpeak ſincerely, I had rather you had come upon any other Errand than this; for I was never leſs pleas'd with myſelf, than I was Yeſterday: But I was to blame in being ſo eaſy to be prevail'd upon, who never conſider'd my own Age, while I comply'd with the Requeſt of theſe young Gentlemen, and did that which I never dar'd to undertake whilſt I was young, diſpute about ſuch learned Subjects: But this happen'd out very well, that my Part being done, you are come to hear *Anthony*'s. Then *Cæſar*. Truly *Craſſus*, I am very deſirous of having a whole continued Diſcourſe from you; yet if you won't grant that, I will content myſelf with your common Converſation: Wherefore I'll try whether my

Friend

Friend *Sulpitius*, or *Cotta*, have more Intereſt in you than I; and I hope I may prevail upon you to favour *Catulus*, and me too, with the Pleaſantneſs of your Converſation; but if it is againſt your Inclination, I wont preſs you to it, nor give you Reaſon to think me guilty of that Impertinence which you ſeem ſo ſtudiouſly to avoid. Then he. Truly *Cæſar*, I always thought that Word Impertinence to be the moſt ſignificant of any we have, and of the moſt general Uſe in our Language; for he that does not conſider proper Seaſons, or talks too much, or diſcovers any Vanity, or does not pay a due Regard to the Character and Worth of the Perſons he is with, or, in ſhort, is too forward and buſy in any Thing, he is very properly called Impertinent: This is a Fault the whole Nation of the learned *Grecians*, notwithſtanding all their Learning, are very ſubject to; and therefore, becauſe they do not ſee the Diſagreeableneſs

ableneſs of this Fault, they give it no Name; for you may ſearch all their Books, and find no Word for Impertinent. But of all the Impertinencies which they ſo abound with, I do not know any greater than their moſt ſubtle Diſputes about abſtruſe or trivial Matters, in all Places, and before all Perſons; and this Fault we were Yeſterday guilty of, contrary to our Inclinations, in Compliance with theſe Young Gentlemen. Then ſays *Catulus*, I hope you don't think thoſe *Grecians*, who were Men of Reputation and Credit in their own Country, as you are, and all of us hope to be in ours, were at all like theſe whom we have now among us, who would talk us to Death if we would hear them: But yet they did not altogether decline ſuch Diſputes in private among Friends. And ſuppoſe you do look upon thoſe as impertinent, (as indeed you juſtly may) who have not a due Regard to Time, Place,

and

and Perſons, yet why ſhould this Place ſeem improper, where theſe very Walks, and the Palæſtra, and ſo many convenient Seats, can't but bring into our Minds the *Grecian* Schools, and Diſputes? Or why ſhould the Time be thought unſeaſonable, when we enjoy that welcome Leiſure which has now unuſually offer'd itſelf? Or why ſhould the Perſons be thought Strangers to theſe Sorts of Diſputes, when we are all ſuch as take the greateſt Pleaſure in theſe Studies, or any like them? But, ſays *Craſſus*, I have a quite different Senſe of all theſe Matters, who think that the Palæſtra, Seats, and Walks, were deſign'd by the *Grecians* at firſt for Exerciſe and Diverſion, not Diſputes; for theſe Places were in Uſe as Places for Exerciſe long before the Philoſophers began to wrangle in them, and at this very Inſtant, when all of them are in the Philoſophers Hands; yet their Auditors had rather be at a Match of Quoits,

Quoits, than hear the Philoſophers read; for as ſoon as they have any Notice of the former, they leave the Philoſophers in the Middle of a grave Lecture upon the moſt deep and weighty Points, to prepare themſelves for a more agreeable Diverſion: So they prefer the moſt trifling Sports to that which (if you'll believe their Pretences) is the moſt uſeful Study: Leiſure enough we have, I grant you; but the Advantage of that is to eaſe, not burden our Minds: I have often heard my Father-in-Law ſay, that his Father-in-Law, *Lælius*, us'd very frequently to retire into the Country with *Scipio*, and there divert themſelves with Sports that were perfectly Childiſh, when they had ſtol'n into the Country, out of the Confinement of the City. I hardly dare affirm it of ſuch Men; but *Cotta* has aſſerted, that they often pick'd up Shells, and Pebbles at *Gæta* and *Laurentum*, and thought no trifling Sport or Re-

creation

creation below them: For 'tis much the ſame with us as 'tis with Birds, which we may often ſee, whilſt they are building their Neſts for the Preſervation of their Young, and their own Convenience, fly Abroad at their Pleaſure for their Refreſhment; ſo our Minds, fatigu'd with the Buſineſs of the Barr, and quite wearied out with the Hurry of the Town, long to retire, and forget all our Cares in the Privacy of the Country: Therefore I ſpoke my real Sentiments in what I ſaid to *Scævola* in *Curius*'s Cauſe; for if, ſaid I, there ſhall be no Wills draw'd up as they ſhould be without you draw them, then we muſt all apply to you, and you would have all the Buſineſs; but then what Time will you have left you for the Buſineſs of the Publick, what for your Friends, and what for your own? Then I added, becauſe I don't think he can be truly ſaid to have his Liberty, who has not now and then

Time

Time to be idle: In which Opinion I ſtill perſiſt, and when I come hither, this having nothing to do, this perfect Idleneſs wonderfully pleaſes me. For as for the third Motive, that ye were ſuch as thought their Lives ſeem'd dull and melancholly without theſe Exerciſes, that is ſo far from being any Inducement to, that it mightily diſcourages me from engaging in this Subject: For as *L. Lucilius*, a learned and facetious Man, uſed to ſay, that he would not have his Compoſitions fall into the Hands of very ignorant, or very learned Readers, becauſe the one would be too curious, the other too blind; for which Reaſon he uſed to ſay too, that *Perſius* ſhould not read his Writings, for he was one of the learnedſt Men we ever had; but *Lælius* and *Decimus* he would; the laſt of which, tho' he was a learned Man, and a Scholar, yet not to be compar'd with *Perſius*. So now if I muſt diſcourſe upon this

Subject,

Subject, I would not indeed have Ploughmen for Auditors, but much leſs you; for I had rather not be underſtood at all, than ridicul'd. Then *Cæſar*, Truly *Catulus*, I think I have not loſt my Labour in coming hither; for whilſt you have been endeavouring to excuſe yourſelf from talking on this Subject, you have talk'd ſo as to be very agreeable and entertaining. But why do we prevent *Anthony*, who, I hear, has undertaken to diſcourſe upon all the Parts of Oratory, and whom *Cotta* and *Sulpitius* have long expected to begin? But I, ſays *Craſſus*, won't ſuffer *Anthony* to ſay one Word, and will be ſilent myſelf, unleſs you will firſt grant me one Requeſt. What is it, ſays *Catulus*? Only to ſpend this Day here. Then when he ſeem'd to be in Doubt, becauſe of his Promiſe to his Brother. To anſwer for both, we will, ſaith *Julius*; and upon thoſe Conditions, that you ſhould have my Company, tho' you ſay never a Word.

Then *Catulus* ſmil'd, and ſaid, you have *alſo prevented all my Scruples about ſtaying, becauſe I have neither left any* Orders at Home; and he, to whom I was engag'd, without my conſenting, *has been ſo eaſily prevail'd upon.* Then all preſently had their Eyes upon *Anthony*, and thus he begins: Pray, Gentlemen, let me have your Attention, for you know I'm particularly ſkill'd in theſe Diſputes, and well acquainted with the *Greek* Learning; therefore I'm very glad that *Catulus* is to be one of my Auditors, who is not only a perfect Maſter of our own Language, but is allow'd by the *Grecians* themſelves very accurately to underſtand all the Beauty and Elegance of theirs. But yet becauſe all this, whether it be the Art or Study of Speaking, without Practice, ſignifies nothing, I will tell you, my Scholars, what I *was never taught myſelf* my Opinion of all Manner of Speaking; I never learn'd myſelf any Rules. Here after they had laught

laught a little, he goes on, and ſays; I think it chiefly proceeds from a fine turn'd Genius, but is little beholden to Art. For Art is converſant about Things which are capable of being known; but Oratory depends upon Opinion, not Knowledge; for we often ſpeak to thoſe who do not know what we ſay, and often ſay what we do not know ourſelves; therefore Men are often of different Opinions about the ſame Thing, and we often defend Cauſes directly oppoſite, and that not only different Perſons, as if *Craſſus* ſhould directly oppoſe me or I him, when one of us muſt neceſſarily be in the Wrong, but even ſo that both of us have, ſometimes, taken different Sides of the ſame Queſtion, tho' but one Side could be True: Therefore if you think it worth your While to hear, I ſhall ſpeak of this Subject as of a Thing that depends upon Invention, and ſeldom comes up to Science; but takes Advantage of Mens Opinions and often

ten of their Errors. Truly, ſays *Catulus*, we think it very well worth our While, and much more ſo becauſe you don't ſeem to over-value your Profeſſion, ſince you *are not guilty of the common Vanity of ſetting it off with* falſe Colours, but have ſpoken what you think the Truth, tho' it be to its *Diſadvantage:* As I therefore before alledg'd in general, ſays *Anthony*, that there was not very much of Art in it; yet now I ſay that there may be ſome very uſeful Rules laid down how to affect Mens Minds, and win their Affections: And if any will affirm, that 'tis a great Piece of Art to have Skill in theſe Matters, I'll not contradict him; for ſince ſome plead heedleſly without any juſt Chain of Reaſoning, and others, whether out of Uſe, or frequent Exerciſe, do it with more Art and Skill: There is no Doubt but if any one would conſider the Reaſon of one's performing better than the other, they might make ſome Obſervations about it.

There-

Therefore, he that has done this thro' the whole Profeſſion, muſt have got ſomething at leaſt like an Art, if not a real one. And I wiſh that, as I ſeem to have an exact Idea of the Uſe of theſe Rules and Obſervations, I could likewiſe ſhew how they might be diſcover'd by you too. But be that as it will, what I lay down at preſent is what I am fully perſwaded of, that if Oratory be not an Art, yet nothing is more excellent than a compleat Oratour; for not to mention the Uſe and Advantage of Oratory, which bears ſo great a Sway in every Country, that enjoys Peace and Liberty, there is ſo great a Delight in Speaking itſelf, that nothing can more gratify our Senſes or our Reaſon: For what Muſick can be more charming than the graceful Delivery of a fine Speech? What Poem more agreeable than an artful Compoſure of Words? What Player in repreſenting more taking, than an Oratour in defending the Truth? What

more beautiful than ſhort pointed Sentences? Or what more admirable than good Matter ſet off in handſome Language? What more compleat than an Oration full of good Senſe? For there is nothing that does not belong to an Oratour which will bear either reaſoning or Ornament: An Oratour, when he delivers his Opinion in Matters of the greateſt Moment, can ſet it off to the beſt Advantage; he raiſes the Spirits of the dejected People, and calms the Tempeſts of their Fury and Outrage; with the ſame Faculty he cauſes the Guilty to ſuffer Puniſhment, and ſecures the Innocent from it: Who can more ſtrongly inflame us with the Love of Vertue, or more powerfully reclaim us from Vice? Who can more ſharply expoſe bad Men, or more handſomely commend the Good? Whoſe Reproofs can more ſucceſsfully check our unruly Paſſions, or whoſe Conſolations more gently allay our Sorrows? As for Hiſtory, which is profeſ-

profeſſedly the Witneſs of former Ages, the Diſcoverer of Truth, the Life of Memory, the Miſtreſs of our Actions, the Meſſenger of Antiquity, in what Stile but that of an Oratour is it tranſmitted to Poſterity? For if any other Art teaches how to coin new Words, or uſe the old ones, or if any other lays down the Rules of forming, or expreſſing Arguments, or, in ſhort, of deſcribing any Subject in a proper Manner, we'll own, that what this profeſſes, either properly belongs to, or is common to ſome other. But if this alone contains all the Method and Knowledge of Speaking, it does not at all hinder but that tho' People of other Arts may accidentally ſpeak well; it may nevertheleſs moſt properly belong to this alone to inſtruct Men in the exact Rules of Speech. But as an Oratour can give a much better Account of any of thoſe Arts he has inquired into, as *Craſſus* aſſerted Yeſterday; ſo Men of other Profeſſions can't but be more ready in deſcribing their own if they have

any Aſſiſtance from this Art: For neither, if any Farmer has ſpoke or wrote handſomely of Huſbandry, or, as it often happens, a Phyſician of Diſtempers, or a Limner of Painting, is Oratory to be ſuppos'd to have any Relation to any of theſe Profeſſions: In which, becauſe there is ſo much Dependance upon Peoples Parts; therefore, many without ever being profeſs'd Students in this Art, get ſome little Knowledge of it, as they often do of all other Sorts of Profeſſions; but tho' we can then only judge of what is peculiar to every Art, when we know what every one of them teaches; yet nothing is more evident than that all other Arts may be practis'd without Eloquence; but an Oratour can't ſo much as maintain the Credit of his Profeſſion without it: So that others, if they have any Eloquence, have it from hence; but an Oratour, unleſs he has a ſufficient Stock of his own, can't in the leaſt borrow any where elſe. Then *Catulus*, Tho' you ought

ought not by any Means to be interrupted, *Anthony*, in your Diſcourſe, yet you muſt excuſe me, for I can't help crying out, as that Comedian did, you ſeem as well ſo lively to repreſent the Art of an Oratour as admirably commend him, and 'tis certain that 'tis one of the greateſt Arguments of Skill in Oratory well to commend Eloquence; ſince a Man muſt uſe that very Eloquence which he commends in making a Panegyrick upon it. But go on, for I'm entirely of your Opinion, that the whole Art of Speaking well belongs to your Profeſſion only; and if any one of another Art ſpeaks well, he is beholden for it to another Profeſſion, it not being a Commodity of his own growth. Then ſays *Craſſus*, I find, *Anthony*, that one Night has ſo improv'd you, that it has made a Man of you; for Yeſterday you repreſented an Oratour as a Factor only in one Sort of Goods, as *Cæcilius* ſays, void of all Politeneſs

neſs and Facetiouſneſs. Why, ſays *Anthony*, my Deſign was Yeſterday to have baffled you, and ſo got your Scholars from you; but now, before *Catulus* and *Cæſar*, I thought myſelf obliged not ſo much to oppoſe you, as to ſpeak my own Thoughts: 'Tis neceſſary, therefore, becauſe the Perſon we are diſcourſing of is to be plac'd on the publick Stage, we ſhould conſider what Part he is to act, and what the Buſineſs is we put into his Hands; for Yeſterday, *Craſſus*, in your Abſence, *Catulus* and *Cæſar* gave a little Sketch of the *Grecian* Way of dividing this Art; nor did he deliver his own Thoughts, but rather explain'd that of theirs; he ſaid, that there were two Sorts of Queſtions, about which, Eloquence was converſant; one Indeterminate, the other Determinate: By Indeterminate he ſeem'd to mean ſome general Queſtion, as whether or no Eloquence is to be deſir'd, or Honours to be courted? But Determinate, by ſome particular Queſtion

ſtion made concerning ſome particular Perſons, or one certain Subject. Such are all thoſe Actions at the Barr about Law-Suits and Controverſies between Man and Man; all which ſeem to me to conſiſt in the right ſtating the Caſes, or in giving Advice: For as to that third Sort which *Craſſus* toucht upon, and as I am told *Ariſtotle* himſelf, who has wrote with great Exactneſs and Care upon this Subject, added, tho' there is ſome Uſe of it, yet 'tis not quite neceſſary. What, ſays *Catulus*, Panegyrick, for I ſuppoſe that is intended for the third Sort? Yes, ſays *Anthony*, you are in the Right; and I know very well that I, and all preſent, were very much taken with your Commendation of your Mother *Popilia*, who was the firſt Woman thus far honour'd in our Country. But I do not think every Thing we ſpeak of muſt be preſently brought under the Rules of Art; for we may make a Panegyrick from the general Rules of Speaking, without needing the

Aſſiſtance

Aſſiſtance of thoſe trivial Obſervations, which tho' they be not taught, yet who can be ignorant of what it is in a Man that deſerves Commendation: As for Inſtance, what *Craſſus* ſaid in the Beginning of his Speech which he made againſt his Colleague, in his Cenſorſhip, to wit; That in the Gifts of Nature, and Fortune, he could be content to have others ſurpaſs him; but in what was in every one's own Power to help himſelf to, he could never bear to be out-done. He that is to ſpeak in the Praiſe of any one, will find that he muſt harrangue upon Fortune's Favours: Such as are a good Family, Riches, Friends, and Acquaintance, a plentiful Eſtate, and a good Conſtitution, Beauty, Strength, Wit, and the like, which belongs to the Body or are External; if he ſhould be poſſeſſed of theſe Things, he muſt be repreſented to make a right Uſe of them; if not, to reſt ſatisfy'd without them: If he hath been depriv'd of them

them by adverſe Fortune, to bear the Loſs patiently; then he ought to muſter up his wiſe, liberal, courageous, juſt, honourable, pious, grateful, good-natur'd, or any other virtuons Actions or Sufferings. Theſe and ſuch like Things are very obvious to any one who will commend, or the contrary to him who will inveigh againſt another. Why, therefore, don't you aſſign this as the third Sort, ſince it is in the Reaſon of Things ſo? For tho' it be ſomething eaſier, it ought not to be exempted from the Number. Becauſe, ſays he, I would not be underſtood ſo to ſpeak of thoſe Things, which at any Time fall under an Oratour's Buſineſs, tho' never ſo ſmall, as if nothing could be ſaid of them without particular Rules for them; for oftentimes we muſt appear as Evidence, and be very accurate in our Informations: As I could not avoid being one againſt *Sextus Titius*, a ſeditious turbulent Perſon; in my Evidence againſt

gainſt him, I gave a full Account of my whole Conſulſhip; for what Reaſon I oppos'd that Tribune in Defence of the Government; and I laid open all his ſecret Contrivances againſt the Common-Wealth: I inſiſted much upon it, and heard many Objections that were brought, and fully anſwer'd 'em: Therefore would you, when you preſcribe Rules for the learning of Eloquence, inſert ſome Inſtructions how to give in your Evidence? There's no Need of that, ſays *Catulus*; what if, as it often happens to Men in great Places, ſome Meſſages are to be deliver'd either in the Senate from the General, or from the Senate to the General, or to a King, or any Nation; becauſe in theſe Caſes we ought to uſe a more accurate Form of Speech than uſual, muſt this be reckon'd amongſt the other Heads, or have its Peculiar Rules laid down? By no Means, ſays *Catulus*, for an eloquent Man would not be at a Stand to expreſs himſelf

in

in theſe Caſes, being furniſh'd with Words he us'd in others: Therefore, ſays he, in like Manner, thoſe Things which require an eloquent Haranguer (which I juſt now affirm'd to belong to an Oratour when I was ſpeaking in the Praiſe of Eloquence) neither claim any proper Place in the general Diviſion, nor a particular Set of Rules or Inſtructions; and yet ought to be ſet off with as fine proper Expreſſions as a Cauſe at the Barr; I mean, Reproofs, Encouragements, and Conſolations; of which there is none that does not need the greateſt Beauty of Words: But artificial Precepts are not requiſite there. Truly, ſays *Catulus*, I'm of the ſame Opinion with you. But then, ſays *Anthony*, let us ſee how great an Oratour, and a Maſter of Language, an Hiſtorian ought to be. If you judge from the *Grecians*, ſays *Catulus*, and their Practice, he ought to be the greateſt; if from our own, there is no Occaſion

ſion for his being an Oratour at all; it is ſufficient for ours to keep cloſe to the Truth. But, ſays *Anthony*, don't ſlight and contemn our own Authors; the *Grecians* themſelves at firſt us'd the ſame Method of Writing with our *Cato*, *Pictor*, and *Piſo*. Hiſtory, indeed, was nothing elſe but a compiling of Records, which, that they might be retain'd in Memory, the High-Prieſt took an Account of every Years Tranſactions from the very Infancy of the *Roman* Affairs, till *P. Mucius* was High-Prieſt, and tranſcrib'd them, and kept a Copy at Home, always allowing any Body to ſee and examine them: And thoſe are what we call now the Publick Records. This was formerly their Way of Writing for the moſt Part, wherein was only ſet down the plain Matter of Fact, with the Time, Place, and Perſons, and that without any Conſideration of Stile or Language. Therefore as *Pherecydes*, *Hellanicus*, and *Acuſilas*, were among the *Grecians*, and

many

many others, ſo we had our *Cato*, *Pictor*, and *Piſo*, who knew nothing of fine Stile, or polite Expreſſion; for they have been but lately brought up. And ſo, that they could but be underſtood, they affected Brevity as the moſt laudable Ornament in Writing, or Speaking: That admirable Man, *Antipater*, *Craſſus*'s Friend, took Courage, and began to write more loftily: The others did not ſet off, but only relate Matters of Fact. 'Tis very true, ſays *Catulus*, but neither did that *Cœlius* himſelf intermix a Variety of Matters, nor adorn his Hiſtory with Words well plac'd, or with a ſmooth Way of Writing; but as well as could be expected from one who was neither a great Scholar, nor a very fluent Oratour, he gave us only a rough Draught; but yet, as you ſay, excell'd thoſe that went before him. No Wonder, ſays *Anthony*, if we have made no great Improvement that Way, for none

of our Men care any farther for Eloquence than that they may make a good Appearance at the Barr; but amongſt the *Grecians* the moſt excellent Oratours forſook that litigious Buſineſs, and apply'd themſelves to many noble Works, but more eſpecially to that of writing Hiſtory; for we are told that *Herodotus*, one of the chiefeſt of them, never pleaded Cauſes; but he writes ſo elegantly, that, tho' I have but little Skill in the *Greek* Language, yet I could never read him but with Pleaſure. *Thucidides* in dignity of Style, and Art of Eloquence, in my Opinion, goes far beyond all that have wrote; he abounds ſo with Matter, that he ſeems almoſt to have as many new Thoughts as Words; and he is ſo expreſſive and cloſe in what he ſays, that 'tis hard to ſay whether his Words ſet off the Things, or the Things his Words: But we never heard that he though a Stateſ-

man

man ever gave himſelf to the pleading of Cauſes; and he is ſaid to have wrote thoſe Books, when remov'd from the Cares of Government; and what often happen'd to all the beſt Men at *Athens*, when in Baniſhment. After him came *Philiſtus*, the *Syracuſian*, upon the Stage, who being a very great Creature of *Dyoniſius*'s, ſpent his leiſure Hours in writing Hiſtory, and, as I think, very cloſely imitated *Thucidides*: But afterwards *Theopompus*, and *Ephorus*, very exact Rhetoricians, and two very ingenious Men, by the Advice of their Maſter *Iſocrates*, apply'd themſelves to Hiſtory, but never medled with pleading: In ſhort, that excellent *Zenophon*, *Iſocrates*'s Scholar, was the firſt that, from Philoſophy, betook himſelf to the writing of Hiſtory: Afterwards *Ariſtotle*'s Scholar, *Caliſthenes*, *Alexander*'s Companion, wrote Hiſtory; and this laſt, indeed, like a true Rhetorician; but the former

mer us'd a ſmoother Stile, and has leſs of the Force and Vehemence of an Oratour, yet, in my Opinion, is very ſweet and harmonious; but *Tymæus*, the youngeſt of all theſe, according to my Judgment, much the moſt learned, tho' very full of Matter, as well as beautiful in his Expreſſions, and not rough in his Stile, us'd a great deal of Oratory in writing, but none in pleading at the Barr. When he had thus ſpoke, what, ſays *Cæſar* to *Catulus*, who pretends to deny *Anthony*'s Skill in the *Greek* Tongue? How many Hiſtorians has he mention'd? With what Judgment, and what proper Characters has he given every one? Truly I now am ſo amaz'd at his Performance, that I no longer wonder how he could be ſo good a Speaker, and yet be ignorant of theſe Things. But, ſays *Anthony*, I often, at leiſure Hours, read over theſe, and ſuch like Books, not ſo much for the Advantage

tage of learning the Rules of Speaking, as for Pleaſure and Diverſion. I will own that I reap ſome Benefit by it: As when I walk in the Sun, for perhaps ſome other Reaſon, yet it naturally comes to paſs that I am Sun-burn'd; ſo when I read over theſe Books at *Mycenum*, (for I cannot at *Rome*,) with great Attention, I perceive my Style to be, as it were, tinctur'd with their elegant Way of Writing; but that you mayn't think me a greater Scholar than really I am, I fairly own to you, that I only underſtand thoſe Things in the *Grecian* Authors which they deſign'd for vulgar Capacities: If at any Time I light upon your Philoſophers I am deceiv'd with the Title Pages of their Books, becauſe they generally promiſe ſome common and well-known Subjects, as Vertue, Juſtice, Honeſty, or Pleaſure; but looking a little farther into their Treatiſes, I do not underſtand one Word

of their fine Cobweb Diſputes; I never pretend to meddle with Poets at all, for they ſeem to me to have ſpoke in quite another Language; I give myſelf wholly to thoſe who write Hiſtory or Orations, and who ſpeak ſo as to be underſtood by us who don't pretend to any great Matter of Learning. But now to my Purpoſe: Don't you ſee how much Hiſtory is an Employ for an Oratour to exerciſe his Talent in, both upon the Account of Fluency of Expreſſion and Variety of Matter; nor yet do I ever find any Directions or Rules given about that Matter by Rhetoricians, becauſe the Rules are ſo plain and obvious, for who does not know that the firſt Law of Hiſtory is not to dare to tell us any Thing that is falſe; and the next, not to be afraid of telling us any Thing that is true, and not to diſcover any Thing of Favour or Reſentment. Theſe are the Fundamentals which every

every one knows: But the Superſtructure muſt conſiſt either in Words or Things; as to Things, Chronology and Geography are indiſpenſibly requiſite in Hiſtory. The Hiſtorian alſo (becauſe in great and remarkable Things, firſt the Contrivance, then the putting in Execution, and then the Events are expected) muſt give in his Opinion concerning their Policy; and ſet forth not only a bare Account of what is done or ſaid, but alſo the Means us'd to bring it about; and likewiſe in relating the Event, muſt lay open all its Cauſes, both what may be imputed to Chance, Prudence, or Raſhneſs; and not only relate the Actions of all the Perſons concern'd, but give particular Characters of thoſe who are moſt remarkable, and an Account of their Humours and Way of Living. As to Words, I ſhould recommend a flowing eaſy Stile, which runs on with an uniform Smoothneſs, with-

out the Harſhneſs of the Barr, and the Uncouthneſs of their Words and Expreſſions: Don't you ſee that tho' theſe Things are ſo great and weighty, the Rhetoricians have given us no Rules about them; and many other Parts of Oratory are likewiſe paſſed over without any Notice taken of them, as Exhortations, Conſolations, Precepts, and Admonitions, all which ought to be handled with the greateſt Accuracy; yet you ſee they have no Place aſſign'd them in the common Syſtems of Rhetorick: But they open to us a large Field of uncertain Talk when they aſſign only two Sorts of Speaking (as *Craſſus* affirm'd) to an Oratour; one about a particular and determin'd Caſe; for Example, private Controverſies between Man and Man, or deliberative Cauſes; to which you may add, if you will, Commendation or Panegyrick: The other, which all Writers almoſt mention, but none explain a general infinite

infinite Queſtion, not reſtrain'd to particular Times or Perſons; which when they talk of, they do not underſtand it: For it is the Buſineſs of an Oratour to ſpeak to any general Queſtion that may be put to him, he muſt deſcribe the Magnitude of the Sun, and the Form of the Earth, he can't refuſe to give an Account of any Mathematical or Muſical Topick, if he once takes upon him this Character: In ſhort, he that makes it his Profeſſion, not only to decide thoſe Controverſies which are aſſign'd to ſome particular Perſons, and Time, as in Law-Suits, but to reſolve any the moſt general Sort of Queſtion; there is nothing out of his Province. But if he will make thoſe unlimited and infinite Queſtions to belong to an Oratour, ſuch as extend to *all good or bad* Things, we muſt ſuppoſe it his Duty to mark out the Limits of what is aſſign'd to be ſought after, or avoided; honeſt, or diſhoneſt;

neſt; advantageous, or prejudicial; to deſcribe the Nature of Virtue, define Juſtice, Temperance, Prudence, Greatneſs of Soul, Charity, Piety, Friendſhip, Fidelity, Sincerity in ſerving Friends, and of other Virtues, and their oppoſite Vices; and alſo diſcourſe of State-Affairs, of Government, of Military Duties, of the Conſtitution of the City, and the Peoples Cuſtoms and Manners, which Part is alſo to be taken in, tho' with a moderate Limitation. Truly, I think, an Oratour ought ſo to underſtand all that relates to the Welfare of the publick, the Manners of the People, their uſual Ways of Living, and the Method of their Government, and all which concerns Civil Society; what belongs to the general Senſe of Mankind, the Dictates of Nature or Cuſtom; that tho' he may not be able to give a particular Account of every one of theſe, like your common Philoſophers, yet he muſt be able to make a ſkill-

ful Uſe of them in Pleading, and ſo expreſs himſelf every where, as thoſe who firſt made Laws and conſtituted Governments, clearly and plainly, without too long a Train of Conſequences, or an empty Multitude of Words: But that no one may wonder at my giving no Rules for theſe Things, I lay down this Aſſertion to excuſe it; that as in other Arts, when the moſt difficult and neceſſary Rules are taught, there is no Need of the other, which are more eaſy, and will follow of Courſe; as in painting, he that has learn'd to draw a Man can draw him of any Shape, or Age, without learning that; nor is there any Doubt but that he who can draw a Lyon, or Bull, to the Life, can do the ſame as to many other Beaſts: In ſhort, there is no Art in which every Particular that may be known is taught by the Maſter of it; but they who have learn'd the firſt and general Rules; eaſily, and of their own

Accord,

Accord, gain the reſt: So I think in this, whether Art or Employment of Speaking, he that is ſo far Maſter of it, that he can turn at his Pleaſure the Inclinations of thoſe that are to judge and determine of any Thing he propoſeth, concerning either the publick or his own private Concerns; or for his Client, whether he be either Plantiff or Defendant; I do not think he will be any more to ſeek in any other Part of an Oratour, than the famous *Polycletus* was, when he had painted *Hercules*, how to add a Skin or a Hydra, tho' he was never taught in particular to draw them. Then *Catulus*; You ſeem to have very clearly explain'd what is neceſſary to be learn'd by one deſign'd for an Oratour; what alſo he may gather from that which he has already learn'd, without any farther particular Inſtructions: For you divided the whole Profeſſion into two Sorts of Cauſes, the reſt you have

paſs'd over as being numberleſs: But take Care that you have not drawn only the Hydra and the Skin, but the *Hercules*, and the other more material Parts are omitted amongſt the other Things you paſs by: For I don't think it leſs difficult to diſcourſe of the univerſal Nature of Things, than of particular Cauſes; and much more to deſcribe the Nature of the Gods, than to plead the Cauſes of Men. You are under a Miſtake, ſays *Anthony*, for I will tell you, *Catulus*, being convinc'd not ſo much from my Learning as what is more my Experience, believe me, to talk of any other Thing is but as it were a Diverſion to a Man of tolerable Parts, and one who is not altogether unexperienc'd and void of common Learning and Politeneſs: But to plead a Cauſe well, is a Work of Difficulty, and I doubt whether it be not the moſt difficult of any Thing again, in which the Excellence

cellence and Skill of an Oratour lies often at the Mercy of thoſe injudicious Perſons who have Reſpect only to the Event and Succeſs; where the Antagoniſt comes well arm'd, who is to be repuls'd and beaten off, where often he that is Judge is no Friend to you, or perhaps prejudic'd againſt you; or, it may be, is a Friend to your Adverſary, and an Enemy to you; who is to be better inform'd and undeceiv'd, his Paſſions to be cool'd or enflam'd, and by all Arts and Methods to be influenc'd as your Occaſions and Cauſe require: Thus you are often to turn Kindneſs into Hatred, and Hatred into Kindneſs; in ſhort, to work him up to all the Paſſions of Severity and Gentleneſs, Grief and Joy, your Words muſt have all the Force, and your Expreſſions all the Weight that is poſſible: You muſt, beſides, have a great Variety of Action; ſometimes you muſt appear warm, briſk, and undaunted; at another Time

Time low and dejected; but always with an Air of Truth. If any one is ſo far Maſter of this Art, that, as *Phidias*, he can carve a *Minerva*'s Statue, it will coſt him no great Labour to add the leſſer Ornaments. Then *Catulus*; How much the greater and more admirable you have repreſented theſe Things to be, ſo much the more I long to hear by what Means or Inſtructions that ſo extraordinary a Qualification is to be acquir'd, not that it ſignifies much to me at theſe Years, and we always went on in a different Road, who never extorted Sentences from the Judges, as it were, by a certain Force of Words, but rather took what they were willing to give us, without endeavouring to byaſs their Judgment: But yet I deſire this Favour of you, not ſo much for any Advantage I propoſe by it, as to gratify my Curioſity: Nor have I Occaſion of any *Grecian* Pedant to teach me

me the common Rules, who perhaps never was at the Barr, nor heard a Tryal in his Life; as they tell a Story about *Phormio*, the Peripatetick Philoſopher, which is thus: When *Hannibal* was baniſh'd from *Carthage*, and in his Exile came to *Antiochus* at *Epheſus*, and by Reaſon of the great Name and Reputation he had gotten in the World, was invited by ſome of his Friends, to hear the Perſon juſt now mention'd; this Man is ſaid to have talk'd very fluently for ſeveral Hours of the Office of a General, and Military Affairs: Then when all the other Auditours, tranſported with this Diſcourſe, aſk'd *Hannibal*'s Opinion too of the Philoſopher, it's ſaid, this *Carthagenian* made an Anſwer, perhaps not ſo well expreſs'd, yet with great Freedom, that he had ſeen a great many doting Old Men in his Time, but never met with ſuch an Old doting Fool as *Phormio*: And truly

truly I think not without Reaſon; for what could be more aſſuming or impertinent, than for a little *Greek* Pedant, who had never ſeen the Face of an Enemy, nor been in any Campaign, nor ſo much as in any publick Poſt, to pretend to inform ſuch a General as *Hannibal*; Who, for ſo many Years, had contended with the *Roman* People, Conquerours of the whole World, for univerſal Empire. In my Opinion, all thoſe ſeem to be guilty of the ſame, who pretend to inſtruct in the Art of Speaking; for they go about to teach others what they never learn'd themſelves: But this may be ſome Sort of Plea for them, becauſe they don't pretend to teach You, as he did *Hannibal*, but only young Men or Boys. You are under a Miſtake, ſays *Anthony*, for I myſelf have light upon many *Phormio*'s; for what *Grecian* is there, who will allow us to underſtand any Thing at all? And truly

I am not ſo uneaſy at it, but that I can bear with them very well; For they either have ſomething to ſay which I think worth my knowing; or if they have not, it has this good Effect, that I am the leſs ſorry for not having learn'd of them: However, I diſmiſs them more civilly than *Hannibal* did that Philoſopher; and, perhaps, for that Reaſon, I'm the more peſter'd with them; But yet their whole Learning, in my Opinion, is very ridiculous: For they make the whole to conſiſt of two Parts, Controverſy, and Queſtion. They call that Controverſy, when there is a particular Thing to diſpute upon; that a Queſtion when the Thing is debated in general and at large; they give ſome Rules for the Management of a Controverſy, but are wonderfully mute about the other. In ſhort, they divide Eloquence into five Parts, Invention of Matter, then methodical diſpoſing of it, putting it into

proper

proper Expreſſion, and getting it by Heart, and at laſt the Delivery of it; a Thing obvious enough; for who does not know, that it is impoſſible for any one to ſpeak properly, unleſs he has furniſh'd himſelf with Matter, and Words, as well as the Method of delivering it, and has it all by Heart; nor do I blame what they ſay; But only ſay myſelf, that 'tis what every one knows; as likewiſe, theſe 4, 5, 6, or 7 Parts, into which they divide an Oration; tho' they are not agreed on this Head; for they would have us begin with reconciling the Favour and Attention of the Auditours, then to make a clear and ſhort Narration, then to divide and ſtate the Queſtion, to confirm our own Opinion by Argument and Reaſoning, and confute the contrary ones; but ſome add a Concluſion too, or, as it were, a Peroration; others, before we conclude, a Digreſſion, for Ornament Sake, or a far-

ther Proof of what is ſaid before; and afterwards a Concluſion. Nor do I find much Fault with this, for they are handſomely divided; but yet, as Perſons that don't rightly underſtand the Matter, muſt do; unſkillfully: For the Rules they give us for the Beginnings or Narrations ought to be obſerv'd thro' the whole Diſcourſe. For I can ſooner win the Judges Favour as I proceed in my Diſcourſe, than before he has heard any Part of it; and convince him, not by promiſing that I will make it out, but by actually doing of it: And I can better gain his Attention by often rouſing his Affections as I go along in my Speech, than by endeavouring to engage him with a Word or two at firſt. But now for that they would have the Oration be plauſible, clear, and ſhort, your Advice is very good; but whilſt they make this Adviſe more properly belong to the Narration, than the whole Diſcourſe,

I think they are much in the wrong, and herein chiefly lies their Miſtake, in their taking the ſame Rules to be practicable in their ſet Orations, which *Craſſus* Yeſterday aſſerted might be practis'd in the Syſtems of Civil Law: Which are firſt to lay down the general Heads, Where 'tis a Fault to omit any one: Then the Parts, as exactly as thoſe; Where 'tis almoſt unpardonable to leave out any that is neceſſary, or put in any that is ſuperfluous: Then the Definition of all, in which nothing ought to be deficient or redundant. But tho' learned Men may do this in the Civil Law; in ſmall or eaſy Caſes; I cannot think the ſame can be done in ſo large and copious a Subject as this: But if there be any of a contrary Opinion, let them go to thoſe Maſters who teach this Profeſſion, and they will have all the Rules deliver'd to them with the greateſt Accuracy and Elegance; for there are an innume-

rable Company of Books upon this Subject neither obſcure or abſtruſe; but let them conſider well what they are deſign'd for, whether only for Diverſion or true Conteſt; for there is a great deal of Difference between the School, and the Barr; between a real Battle, and a mock Fight; yet even *That* is of great Advantage both to the Gladiator and the Soldier. But Readineſs of Wit, Preſence of Mind, and a Quickneſs and Accurateneſs of Parts, join'd with Skill and Art, makes Men Proof againſt all Adverſaries. Therefore, if I was to bring up an Oratour, the firſt Thing I would do ſhould be to find out how far his Parts and Abilities would be able to carry him; for after he had gotten a tolerable Stock of Learning; heard, read, and underſtood the common Rules of Speaking; I'd try his Voice and Lungs, with what Grace and Decency, and how affectionately he could deliver himſelf; if I found he was likely

likely to make a very great Figure, I'd not only adviſe him, but, if I thought him a Man of Virtue, and Honeſty, earneſtly beg of him to follow that Study, ſo high a Value do I put upon an excellent Oratour; and, if a man of good Morals, ſo great an Ornament do I think him to be to a whole City. But if he ſhall promiſe no better than, that after having done his beſt, he may chance to make an indifferent one; I'll leave him to himſelf, and by no Means preſs him to the Study of Oratory; but if he be perfectly unfit and unqualify'd, I'd heartily adviſe him to deſiſt from this, and purſue ſome other Study: For we are by no Means to be backward in encouraging him to go on, who is very well qualify'd for that Study, nor forward in diſſuading him who is indifferently ſo; becauſe the one ſeems to have in it ſomething above a Man, the other, *i. e.* either not to do very well, or to do not very

ry ill, is a Pitch very allowable in human Affairs: But, as for the 3d, *i. e.* for a Man to aim at ſomething above his Power and Abilities, and in which he can make but a very awkward Figure, is like that Declaimer *Catulus*, who invited a great many Perſons to hear him expoſe his Folly, whilſt he imagin'd he was ſounding out his Praiſes: As to ſuch a one, therefore, who is to be encourag'd and aſſiſted, let us give him only the Advantage of our Experience, becauſe we can proceed no farther; That he may, at leaſt, have ſome Directions thither, where we arriv'd without any other Guide than our own Judgment. To begin then with a Friend of ours; I tell you, *Catulus*, I heard this *Sulpitius* here, the firſt Time he pleaded, when he was very young, and I found him every Way qualify'd for this Art we are diſcourſing of, both in the Gracefulneſs of his Delivery, and the Beauty and Carriage of his Body; but tho'

tho' (according to his Temper) he ſpoke with Heat and Vehemence, and was very full of Words, and had rather too great a Luxuriance in his Stile, (which may be imputed to his Age) for all this, I did not diſlike him, for I would have a fruitful Invention ſhow itſelf in a young Man: For as in Vines, 'tis eaſy to prune away the Branches that ſpread too much, when all the Care and Cultivation that can poſſibly be us'd will not raiſe new Shoots from an old decay'd Stock; ſo I would have it be in a young Man: There ſhould be ſomething to be prun'd away; for the Juice can never continue long ſound in that which is too ſoon ripe: I preſently perceiv'd his Parts, and did not let ſlip the Opportunity, but adviſ'd him to make the Barr his School to learn in, and to choſe ſome or other as a Maſter to direct him, Which, if he would take my advice, ſhould be *Craſſus*; to this he prſently

ly conſented, and promis'd to follow my Advice; and he added too, I ſuppoſe by Way of Complement, that I ſhould be one of his Maſters. Not above a Year after he impeach'd *Norbanus*, and I defended him, 'tis almoſt incredible how different this *Sulpitius* appear'd from that a Year ago, he was naturally inclin'd to that noble lofty Stile of *Craſſus*, but that would not have been ſufficient, if he had not improv'd his natural Parts, by Study and Imitation, and had kept *Craſſus* continually in his Mind and in his Thoughts. Therefore let this be the firſt Rule, to point out a Pattern for him to imitate; where he muſt, with the greateſt Care, obſerve to follow what is moſt excellent; and then, by conſtant Practiſe and Exerciſe, perfectly expreſs and copy him whom he has pitched upon for this Purpoſe; not as I have known ſome who, by frequently repreſenting it to their Minds, have got that which is eaſy, or, perhaps, what

is ſome Ways remarkably deform'd: Nothing is eaſier than to imitate, the Dreſs of any one, their Gate, or Geſture; and if there be any Thing that is faulty, to imitate or even exceed in that, requires no great Skill; as that *Fuſius* (who now even tho' he has loſt his Voice, yet diſturbs the Publick by his hoarſe, hollow Impertinency) cannot arrive at *C. Fimbria*'s Force and Strength of Eloquence, tho' he can make as ugly Faces, and ſpeak as broadly and clowniſhly; but he did not know how to make Choice of a fit Pattern, and pick'd out the moſt diſagreeable Features of the Piece he choſe: But he that does as he ought, ought firſt to be nicely curious in his Choice, then to be extreamly cautious in copying after what is moſt beautiful and excellent. For what Reaſon can we aſſign why every particular Age had its particular Way of Speaking, Which we cannot ſo eaſily judge of from our own Oratours,

Oratours, becauſe we have no Writings of theirs to do it by; as from the *Grecian*, from which we may gueſs at the Language and Stile of every Age: The moſt ancient of thoſe, of whom we have any Writings left, are *Pericles*, *Alcibiades*, and their Contemporary *Thucidides*, all being conciſe, elegant, and judicious, abounding more in Senſe than Words. 'Tis impoſſible for them all to have agreed in one Way of Writing, unleſs they had agreed too in the ſame Pattern. *Critias*, *Theramenes*, and *Lyſias*, ſucceeded theſe; there are many of *Lyſias*'s Writings, ſome of *Critias*'s extant, we have heard too of ſome of *Theramenes*'s; all theſe in this were like *Pericles*, that they were full of Senſe, but were in their Expreſſions ſomewhat more copious: *Iſocrates* was famous too, who was Maſter of all the reſt: From whoſe School, as from the *Grecian* Horſe, have come forth many perfect Heroes, ſome of whom

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were, indeed, only for Show, and ſome for Service. Therefore, tho' thoſe Writers *Theopompus*, *Ephorus*, *Philiſtus*, *Paucratas*, and many others had not all equal Parts, yet all had the ſame Deſign in View, and propos'd to themſelves the ſame End; and thoſe too who turn'd Lawyers, as *Demoſthenes*, *Hyperides*, *Lycurgus*, *Æſchines*, and *Dynarchus*, with many others, tho' their Abilities were not the ſame, yet they all propoſe the ſame Pattern to copy after: Which was ſtill continu'd on as long as thoſe Original Maſter-Pieces were kept alive: But after they were dead, and their Memory, by Degrees, quite worn out of Date, other more eaſy and remiſs Ways of Speaking grew in Faſhion. Then *Demochares*, *Demoſthenes*'s Nephew, and the famous *Demetrius Phalereus*, in my Opinion, the politeſt of any; and others of the ſame Stamp came in Play; which Things, if we will trace down to theſe preſent Times,

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we ſhall find, that all *Aſia* now imitates *Menarches* of *Alabanda*, and his Brother *Herocles*, whom I have heard; ſo that there was always ſome one very eminent, whom the Generality ſtrove to imitate. He, then, who deſires to get the Stile of any one, muſt exerciſe himſelf mightily, in Writing much, which if this Friend of ours, *Sulpitius*, would do, his Stile would be much cloſer; whereas now, as the Country Men ſay of the Graſs in the Field, his extream Fertility of Invention has too great a Luxuriance, which muſt be corrected by Uſe and Practiſe. Then *Sulpitius*; I am very much oblig'd to you for your good Advice, but I don't think that you us'd yourſelf to Writing much. Then he preſently reply'd, As if I could not give Advice where I cannot take it: But yet People generally think too, that I keep no Accounts; but the beſt Way of judging is, in the one Caſe, from the

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good Order my Eſtate is in; in the other, as poor as it is, from my Way of Diſcourſe: But yet we ſee there are a great many who never pitch on any to copy after, but gain the End they propoſe without the Aſſiſtance of any Example, which we may obſerve in you, *Cotta*, and *Cæſar*, one of which is Maſter of that Wit and Facetiouſneſs unknown to our Oratours; the other ſpeaks with a great deal of Subtlety and Smartneſs. Nor truly did your contemporary *Curio*, tho' his Father was one of the moſt eloquent Men of his Time, ſeem to propoſe to himſelf any Pattern, yet he had a peculiar Way and Manner of Speaking, in which he expreſs'd himſelf with Weight, Elegance, and Fluency: Which I was very ſenſible of in that Tryal before the Centumvirate, in which he was retain'd againſt me: Where he fail'd in nothing that was requiſite, not only for a copious but a ſkillful Oratour. But that we

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may at laſt bring our Oratour, which we are forming, to the Barr, and to thoſe Cauſes that have the greateſt Difficulty in them, that is, thoſe of the judicial Sort; tho' ſome People may, perhaps, laugh at the Adviſe I am going to give, (which does not ſeem to have any great Matter in it, as if it was what was abſolutely neceſſary, and what does not ſhow the great Learning of him who gives it, but only that he is not a downright Fool) but, however, I give him this Caution, firſt thoroughly to examine, and perfectly inform himſelf of every Cauſe he undertakes: For this is a Piece of Advice which is not given at Schools, for nothing but what is plain and eaſy is there ſet to Boys; as ſuch a Foreigner, contrary to a Law enacted, mounted the Walls to beat off the Enemy, for which he is accus'd, To examine into this is no great Difficulty; They might well then omit this Advice, for all their Theſis's

ſis's are much the ſame with theſe; but at the Barr the Writings, Evidences, Contracts, Agreements, Covenants, Kindred and Relations, the Decrees, Cuſtoms, Opinions, in ſhort, the whole Life of the Perſons concern'd is to be examin'd into, by Reaſon of the Omiſſion of which we often ſee Cauſes loſt, eſpecially private ones, (for they are generally moſt obſcure.) But ſome, whilſt they would be thought to have a great Practiſe, will run about the Court as if they were in a great Hurry, and their Buſineſs call'd them from one Cauſe to another, and ſo undertake thoſe they know nothing of; truly I look upon this as a very great Fault, and I can't ſee how they who are guilty of it can acquit themſelves, either of Negligence or Diſhoneſty; indeed the firſt of theſe is greater than People take it to be, becauſe 'tis impoſſible a Man ſhould ſpeak tolerably well to a Subject he does not

underſtand; ſo whilſt they deſpiſe the Scandal of Idleneſs, which is the worſt Sort, they run upon that of Dullneſs, which they are the more afraid of. Now 'tis my firſt Buſineſs to get a true Information of every one's Cauſe from himſelf, for I'd take him into a private Room alone, that ſo he might ſpeak his Mind the more freely, and there I defend his Adverſaries Cauſe, whilſt he ſpeaks for his own, and by that Means he diſcovers whatever he thinks and knows of the whole Matter; and ſo when he is gone out, I fairly and impartially repreſent to myſelf three Perſons, my own, my Adverſaries, and the Judges: After having well ſtated the Caſe, what Arguments ſeem to be ſuch as will more help, than prejudice the Cauſe of my Client, thoſe I think muſt be inſiſted on; what ſeem more likely to hurt, than advance its Intereſt, I totally reject; ſo that I receive this Advantage from it: That I firſt conſider what to ſay, and then to

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ſay it; which ſome People, relying upon their quick Parts, do both together; tho' certainly they muſt perform much better if they took Time to conſider before-hand: As ſoon as I have well examin'd the Cauſe, then preſently I ſee where the Streſs of the Queſtion lies: For there is no Controverſy ariſes amongſt Men whether it be a criminal, or civil Action; or a Debate about proclaiming War; or about the Character of any Perſon; or a Philoſophical Diſpute about the beſt Rule of our Actions; where we muſt not examine either what is paſt, preſent, or to come, the Nature of it, or what Name 'tis call'd by; but the moſt of thoſe Cauſes of ours which are generally criminal ones are moſtly to be clear'd of by Denial of the Matter of Fact; for as for Extortion and Oppreſſion, a moſt unpardonable Crime, to be ſure we muſt deny the whole Accuſation: And as to Bribery about Elections, 'tis a very nice Matter to

palliate that with the Cloak of Liberality and Munificence, and acknowledging the Fact, to prove that it did not fall under the Nature of the Crime objected: But in a Caſe of Murder, effected either by Sword or Poiſon, or of Embezzlement, we muſt deny every Thing. The firſt Thing to be done in theſe Caſes, is to diſpute of the Fact already paſs'd; in deliberative, to conſult what is likely to happen, and ſeldom about what is preſent or paſt. But ſometimes the Queſtion is not about the Matter of Fact, but the Matter of Right; as when the Conſul, *C. Carbo*, defended *L. Opimius*, to the People, in my hearing; *C. Gracchus*'s Death he did not deny, but he ſaid that he ſuffer'd juſtly, and for the Publick good; which was the Anſwer *P. Africanus* gave this *Carbo*, who was then of a different Party in the Common-Wealth, and Tribune of the People; he then putting the Queſtion to *Africanus* about

C. Gracchus's Death, had this Anſwer return'd him, that he ſuffer'd juſtly; but all thoſe Things are juſtifiable, which either we are oblig'd to do, or allow'd to do, or are compell'd to do, or which are done undeſignedly, or by chance. And ſometimes the Queſtion is what to call Things, as when the Diſpute is about the proper Stile which is to be given; as I myſelf had a very hot Diſpute with this *Sulpitius* in *Norbanus*'s Cauſe on this Account, for tho' I granted the Truth of a great many Matters of Fact, which he objected to me, yet I deny'd that this amounted to Sedition. On which Word, according to the *Apuleian Law*, lay the whole Streſs of the Cauſe: And in this Sort of Cauſes ſome would have you give a ſhort and clear Definition of that Word, on which the whole turns; which I thought very childiſh; for the Caſe is different, when Words are to be defin'd in learned Diſputes,

about what belongs to Arts; as when the Queſtion runs what an Art, or or a Law, or the Conſtitution of a City is; where Reaſon tells us, that you ought to expreſs the exact Significancy of the Thing you define, ſo that there be nothing wanting or redundant. Which neither I nor *Sulpitius* endeavour'd to do in that Cauſe; for both of us enlarg'd as much as we could, and employ'd all our Eloquence in deſcribing the Nature of Sedition in general. For very often a Definition has ſuch Objections made againſt it, ſuch Additions and Alterations made to it, that it's rendred uſeleſs: Then it looks too Pedantick, and ſmells too much of the Schools, then the Judge can never have a clear and perfect Notion of it; for it ſlips away before it can be taken hold of: But where the Nature of a Thing is doubted of, there ariſes very often a Diſpute about the Senſe of the Writing, which muſt be ground-

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ed upon ſome ambiguous Expreſſion: For then any Thing falls under the Name of ambiguous, when the Letter of the Writing ſeems to differ from the Senſe of it; which is not reſolv'd till the Words which are wanting are put in; which being added, we may maintain the Meaning to be plain and obvious: And if there be any Doubt about the Writings of the contrary Side, no new Sort of Queſtion ariſes, only the former is doubled: So that the Cauſe will either never be determin'd, or elſe by adding the Words that were omitted, we muſt ſupply that Senſe of the Writing we defend; hence we may ſee that one Sort of Cauſes depends upon the Ambiguities of Expreſſion: But there are different Sorts of Ambiguities, which the Logicians ſeem, to me, to be beſt acquainted with; but theſe Pleaders of ours know nothing of the Matter, tho' they ought too to make it their Study as much as

the others: But theſe Ambiguities very often happen as well in Converſation as in Writings, by Reaſon of the Omiſſion of a Word or two. But here they are to blame again for diſtinguiſhing the Caſe of the Conſtruction of the Senſe of the Writing, from that of the Diſpute about the Nature of the Action: For the Queſtion is never ſo much about the Nature of the Action, as when the Enquiry is about the Senſe of the Writing: So there are only three Sort of Things which can fall under any Diſpute, or be controverted about, what is a doing, was done, or likely to happen; the Nature of the Thing done, and the Name of it; for what the *Grecians* add about its being done rightfully or lawfully, comes under the Enquiry about the Nature of it: But now I'll return to my Purpoſe. When therefore I have undertaken and thoroughly examin'd the Cauſe, and intend to proceed farther in the Matter,

ter, the firſt Thing I do is to find out what I am to drive at all along in my Diſcourſe, which I am to uſe in this whole Tryal: Then I very carefully conſider of theſe two Things; By what I can beſt recommend myſelf and my Client, and how I may work upon the Paſſions of the Judges before whom I ſpeak. So the whole Art of Oratory depends upon theſe three Things, to prove the Truth of what we aſſert, to gain the good Opinions of the Judges, and to draw their Affections which Way ſoever we think will make moſt for us. But there are two Sorts of Arguments made uſe of by an Oratour, the firſt is to be taken from thoſe Things which are not invented by the Oratour, but which depend upon Fact; tho' they require Skill to manage them: As Writings, Evidences, Agreements, Contracts, Confeſſions extorted by the Wrack, Laws, adjudg'd Caſes, Decrees, the Learned's Opinions, which

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are not of the Oratour's Invention, but which the Cauſe and his Clients ſupply him with; the other depends purely upon his own Arguments, and Reaſoning: So that in the former Caſe we muſt conſider how to manage the Arguments, which the Cauſe itſelf offers us; but in this how to invent new ones. The common Maſters, indeed, of this Profeſſion, after they have divided Cauſes into all the ſeveral Sorts, ſupply us with Arguments for each of them; which tho' it may be more proper for young Beginners, that they may have Recourſe to ſome Method; Whereby, as ſoon as the Caſe is put, they may furniſh themſelves with Arguments ready prepar'd; yet 'tis a Sign of mean Parts to follow the Streams and neglect the Fountain; beſides, Men of our Age and Experience ought to trace every Thing from its firſt Principles, and find out the true Grounds and Foundation of it. As to the firſt of thoſe, that

that is, thoſe Things which an Orator has brought to him, he ought to have general Rules which will be of uſe to him in all Caſes of the ſame Nature. For; for the Deed and againſt the Deed, for the Witneſſes and againſt the Witneſſes, for the Confeſſions and againſt the Confeſſions, and other ſuch like Things; Which are wont to be ſpoke to, either in general, by themſelves; or in particular, when they relate to any ſuch Time, Perſons, or Caſes: Theſe Things you, You, I mean, *Cotta* and *Sulpitius*, ought by conſtant Uſe and Meditations ſo to maſter; as to have them ready on all Occaſions: But 'twould be too tedious now to make out to you, how you ſhould ſtrengthen or baffle the Evidences, Writings, or Confeſſions; theſe Things require not much Wit, but a great deal of Practiſe; ſo far indeed there is Need of Rules and Skill, that you may be able to ſet them off with the Beauty

ty and Ornament of Words. As for the other Sort, which depends upon the Invention of the Oratour, they require no great Reach of Thought, but only to be manag'd in polite and handſome Language. Therefore, ſince theſe two Things are chiefly to be aim'd at in the pleading of Cauſes, firſt the Matter, then the Dreſs of it; for the one which ſeems to be all Art, tho' it does require ſome; yet any one of common Senſe might eaſily ſee what to ſay: But the other is that in which the admirable Skill and Power of an Oratour ſhews itſelf; That is, to be able to adorn what you have to ſay with elegant, copious, and various expreſſions. Wherefore I won't refuſe to give you a full Account of that better Part, becauſe 'tis but for once, (you ſhall judge how well I can do it) under which will be brought theſe three Things which ſo much conduce to the gaining of Aſſent; to Wit, to

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reconcile the Auditors, to inſtruct, and to move them; For theſe are the three Things I mean; but there is one preſent, Who muſt be beſt able to illuſtrate them; being the firſt Inventor, the greateſt Improver, and the only Perfecter of them. But I, *Catulus*, will ſay it, without Fear of being ſuſpected of Vanity or Affectation, that I don't think there has been any Oratour better than ordinary, whether *Roman* or *Grecian*, in my Time, of whom I have not been a frequent and attentive Auditour; and ſo if I have got any Thing in me, (as I almoſt begin to think I have, ſince Men of your Learning and Judgment are ſo earneſtly deſirous of hearing me) I am altogether beholden to this for it, that never any Oratour pleaded well in my Hearing, the beſt Part of whoſe Diſcourſe and Arguments I did not remember: And now after the Hearing of ſo many of all Sorts of Oratours,

Oratours, I think I can ſafely ſay, that I never heard any one that had ſuch great Beauties of Speaking as *Craſſus* had. Wherefore if you agree with me, I think 'twill be but juſt, if after I have, according to my Deſign, form'd and brought up this Oratour to this Maturity, I ſhould now deliver him up to him to be ſet off and adorn'd. Then *Craſſus* ſays, as you have begun, ſo go on, for a good free Parent ought not to neglect the cloathing and ſetting out that Child whom he has begot and brought up; eſpecially in this Caſe, when you can't deny yourſelf to be able enough: For what Ornament or Force of Words, what Spirit, what Grace can be wanting to that Oratour, who, in the midſt of a Cauſe call'd to him a Conſular Criminal, pull'd open his Cloaths, and ſhow'd the Judges the honourable Scars in the Breaſt of the old General? Who, tho' he pleaded for a turbulent ſeditions Man, (this *Sul-*

pitius

pitius ſpeaking againſt him) could commend even Sedition itſelf, and bring very reaſonable Proofs, of the Juſtice of many popular Tumults and Inſurrections? Who could prove there were many Seditions often made very much to the Advantage of the Republick? As when the Kings were baniſh'd and the Power of the Tribunes ſet up: That that Sedition of *Norbanus*, occaſion'd by the great Grief of the Citizens and the Hatred they bore to *Cæpio*, who by his ill Conduct had loſt his Army, could not be ſuppreſs'd; nay that it was even juſtly rais'd. Could ſo nice and difficult a Subject as this, and never touch'd on before, ſo new and hazardous, be manag'd without the greateſt and almoſt incredible Art and Power of Speaking? Why ſhould I mention the Commiſeration he mov'd in the Senate towards *C. Manlius*, and of that towards *Q. Rex*, and abundance of others, in which you did not ſhow

ſo

ſo much that extraordinary Sharpneſs in which all People allow you to excel; as an admirable Skill in thoſe very Gifts and Arts of Speaking which you now would aſſign over to us. Then *Catulus*; Truly I us'd mightily to wonder at this, that tho' there is very great Difference in your Method of Speaking, yet both of you ſeem to have all that Nature and Art can beſtow upon you; wherefore, *Craſſus*, you ſhan't deprive us of your Eloquence, nor will we allow you to be ſilent in what *Anthony* has either omitted, or not fully explain'd; nor will we, *Anthony*, if you have paſs'd by any Thing, impute it ſo much to your being unable to ſpeak of it, as to your being willing that *Craſſus* ſhould ſpeak of it rather than yourſelf. There *Craſſus*; Why don't you, *Anthony*, let thoſe Things alone, which Nobody here wants to know, I mean, how one may be furniſh'd with what is to be ſaid in pleading of Cauſes, which, tho'

tho' you preſent to us in a new and handſome Dreſs, yet the Thing itſelf is what is obvious and common: But let us have an Account how you come to be ſo *able to talk ſo copiouſly and divinely upon all other Subjects.* I will give you one, ſays *Anthony*, and that I may the ſooner obtain a Requeſt of you, I will deny you nothing you ſhall aſk of me; there are three Things, as I ſaid before, on which depend all my Oratory, and that Art of Speaking *Craſſus* juſt now ſo much commended; firſt, to gain Men's good Opinions, then to inſtruct them, and then to move them: The firſt of theſe requires a ſmooth, the ſecond a clear, the third a forcible Way of Speaking. For it muſt be, that he that gives it for us, muſt do it either out of Favour to us, or be won to it by the Clearneſs and Strength of our Arguments, or be ſway'd by the Force of his Paſſions. But becauſe all this ſeems to be com-

prehended under, and fall in with the explaining and defending the Thing itſelf, we will firſt ſpeak of that, tho' very briefly, for thoſe Things, which we have learn'd from our own daily Experience, and are throughly imprinted on our Minds are but few. And, *Craſſus*, we will very willingly take your Advice, and let alone that School-boyiſh Method of deſcending to the Defence of every particular Cauſe, and lay open to you general Inſtructions, whence you may gather Rules of diſputing in every Cauſe and every Speech: For neither, as often as we are to write a Word muſt we ſtudy to find out every particular Letter; ſo neither, as often as we have a Cauſe to ſpeak to, muſt we be oblig'd to ſtudy for particular Arguments to prove it; but muſt have certain general common Places which naturally offer themſelves to us in the Proof of any Cauſe; as Letters do to the Writing of any Word: But

that Man alone can make right Uſe of theſe general Places, who is acquainted with Buſineſs, either from Experience, which muſt come with Years, or by Hearing and Study, which, in Men of Diligence and Application, even out-does Years. For ſuppoſe you bring me a Man, tho' learned enough, of a quick Invention, and a good Delivery; if he be a Stranger to the Conſtitution of the City, and altogether ignorant of the Cuſtoms, Precedents, Laws, Manners, and Humours of the Citizens; 'twill ſignify nothing for him to be never ſo ready with his ſet Form of Arguments. There is certainly Need of a well cultivated Mind, as much as there is of a well manur'd Field to bring forth a good Crop: This Cultivation conſiſts in the Exerciſe of Pleading, Hearing the beſt Oratours, Reading them, and forming his Stile by imitating theirs in Writing much: And firſt let him conſider

the Nature of the Cauſe, which is always obvious enough, whether the Queſtion be about the Truth of the Matter of Fact, the Quality, and the Name of it; which being perfectly known, it immediately and naturally occurs to you, without theſe Diviſions and Subdiviſions, which are generally taught, what it is that makes the Queſtion; that is, upon what the whole Controverſy turns; and ſo what it is that is to be try'd; which they tell us we may find out thus. *Opimius* kill'd *Gracchus*; what makes the Queſtion? Whether this was done for the Publick good, after according to an Order of the Senate he had call'd to Arms; take away this Clauſe there will be no ſuch Thing as a Queſtion: But *Decius* denies that that could be done contrary to Law; wherefore the Thing to be try'd is this, whether or no he might do that lawfully, by an Order of the Senate, for the Sake of the Publick

lick good? Theſe are plain and obvious to the meaneſt Capacity; it is only left to conſider what Arguments ought to be us'd by the Plaintiff and Defendant in Relation to the Cauſe in Hand: And here I cannot but take Notice of a great Error thoſe Maſters are guilty of, to whom we ſend our Children; not that this has any great Relation to Oratory, but only that we may ſee how dull and ignorant thoſe Sort of Creatures are, who think themſelves ſo very learned and knowing. For they aſſign two Sorts of Cauſes in their Diviſions of the Ways of Speaking: One they call that, in which the Queſtion is about ſomething in general, that is, not determin'd to particular Times and Perſons; the other, that which is ſo determin'd, never conſidering that all Controverſies carry in them the Nature and Force of a general one. For in that very Cauſe I inſtanc'd in juſt now,

the Oratour has nothing to do with *Decius* or *Opimius*'s Perſon, they are of no Concernment to him; for the Queſtion is to be put in general Terms, whether or no he is liable to be call'd to an Account for killing a Citizen, by an Order of the Senate, for the Security of his Country, tho' 'twas againſt Law? In ſhort, there is no Cauſe, whoſe Determination depends upon Perſons or the Parties concern'd, but on ſome general Queſtion or Diſpute. Nay, even in thoſe very Caſes where the Diſpute is about Matter of Fact, as, whether *P. Decius* took a Bribe, contrary to Law; both the Plaintiff and Defendant's Arguments ought to be reduc'd to ſome general Head: If he be accus'd of Prodigality, you muſt ſpeak about the Crime of Luxury, in general; if of Extortion, about that of Avarice; if of Sedition, about the Miſchief of factious and diſaffected Perſons, in general: If a great

great Number of Evidences appear againſt him, of the Nature of Witneſſes, in general; and, on the contrary, in what is to be ſaid for the Criminal; every Argument muſt be brought from a particular Time and Perſon, to Perſons and Things in general. And perhaps theſe may ſeem a great many, to one that is not very ready at diſcerning the Nature of theſe Things, which belong to the Examination of the Matter of Fact: But yet tho' there are ſo many Sorts of Accuſations, they don't require ſo many Ways of defending, or conſequently ſo many Rules in our Common-Place-Book: But when the Matter of Fact is granted, and the Enquiry is made into the Nature and Quality of the Matter, if you judge of them according to the Number of Criminals, 'twill be an endleſs and obſcure Piece of Work; if according to the Things themſelves in general, 'twill be eaſy and plain:

For if we make *Mancinus*'s Cauſe relate to *Mancinus* only, a new Cauſe will ariſe as often as he is not receiv'd by the Enemy, who is deliver'd to them by the *Pater-Patratus*. But if that Diſpute is caſt into a general Caſe, as, whether or no 'tis fit that he, whom the *Pater-Patratus* has given up, if he be not receiv'd, ſhould recover his former Station; *Mancinus*'s Name ſignifies nothing to the Pleader, or to the Arguments which defend the Cauſe. Nor is the Greatneſs or Meanneſs of the Perſon of any weight, as to the main Queſtion; but as for that particular Circumſtance, 'twill come under the general Head of Diſpute: I don't mean here to bring any Charge againſt thoſe learned Men, tho' they are to be blam'd, who, in their general Definition, will have it, that Caſes depend on particular Times and Perſons: For tho' Time and Perſons are brought in to make Matters more clear and bet-

ter ſpecify'd, yet we muſt know that Cauſes have no Dependance on them, but on the Nature of the Queſtion in general. But this is nothing to our Purpoſe, at preſent, for we are engag'd in no Controverſy with them; let this therefore ſuffice to ſay, that they never ſo much as attain'd this, ſo as to be able, tho' free from the Buſineſs of the Barr, and from every Thing elſe that might divert their Thoughts, to diſtinguiſh the Nature of Things, and put them into a clear and more diſtinct Light; but this, as I ſaid, does not concern me; but there is ſomething in which I am concern'd, and more particularly you, *Cotta*, and *Sulpitius*: For according to common Rules and Syſtems, we have Reaſon to fear leſt the Cauſes grow infinite and endleſs; for if the Cauſe depends upon Perſons, there are as many Cauſes as Men; but if they be reduc'd to ſome univerſal Sorts, they are in ſo ſmall a Com-

Compaſs, that careful prudent Oratours, and ſuch as have good Memories, ought to have them all by Heart and at their Tongues End. Unleſs you ſuppoſe that *Craſſus* grounded his Arguments upon the Name, *M. Curius*, and from thence brought many Reaſons to prove, that *Curius* ought to be *Coponius*'s Heir, tho' *Coponius* had ne'er a Child born after his Death: The Name certainly of *Coponius* or *Curius* made nothing either for the Strength or Weakneſs of the Cauſe, that did not depend upon particular Times or Names, but upon the Nature of the Thing in general, the Words of the Will run thus. If I have a Son born after my Death, and he dies before ſuch a Time, (as 'tis there ſpecify'd) then *Curius* ſhall be my Heir. Now it happens he has no Son born at all, and therefore the Queſtion will be, whether he ſhall be Heir who was only ap-

appointed Heir after his Son's Death? A cauſe which depends upon the univerſal Rules of Right and Juſtice has no Need of the Names of particular Men, but of Reaſon and Argument for its Defence. But ſome of the Lawyers ſeem to have a Deſign in this Caſe to perplex us, and diſcourage us from applying ourſelves to this Profeſſion; for I ſee it ſet down particularly to every Perſon in *Cato* and *Brutus*'s Books, what Anſwer they gave to any Man or Woman about Points in the Law, I believe to induce us to think that there was no Occaſion for us to conſult, or examine into the Thing itſelf, but only the Perſons; that ſo, becauſe the Number of them is infinite, we, deſpairing of ever attaining to the Knowledge of the Law, ſhould lay aſide our Deſign of Studying it, in Deſpair of ever compaſſing it. But *Craſſus* will quickly clear

clear this Point to us, and give us the general Heads of all Caſes in ſhort; for to tell you the Truth of the Buſineſs, he promis'd us Yeſterday that he would make a Collection of the general Heads of the civil Law, which now lie in Confuſion and Diſorder, and reduce them into Art and Method. And, indeed, ſays *Catulus*, that is no very difficult Thing for *Craſſus* to do, who has learn'd all that could be learn'd of the Civil Law, and what was wanting in his Inſtructors, will of himſelf eaſily ſupply; ſo that he can either fitly deſcribe, or elegantly illuſtrate what belongs to the Civil Law. Therefore, ſays *Anthony*, we will then go to *Craſſus* to learn of him, when he ſhall have withdrawn himſelf, as he Deſigns, from the Hurry and Buſineſs of the Barr, into his Privacy and Retirement. I have often heard him ſay, ſays *Catulus*, that he was reſolv'd to leave off his Buſineſs and Pleading; but,

but, as I us'd to tell him, 'twill be impoſſible for him to put that Deſign in Execution; for neither will he know how to deny his Friends which deſire his Aſſiſtance, nor would the City ſuffer it, who, if ſhe ſhould be depriv'd of *L. Craſſus*'s Pleading, will think itſelf robb'd of a very great Ornament. For truly, ſays *Anthony*, if *Catulus* ſpoke Truth in this, you and I muſt be condemn'd to drudge on, and leave that ſupine, and unactive Wiſdom, for the eaſy Retirement of the *Scævola*'s and other happy Men. There *Craſſus* ſmil'd a little, and ſaid, Come, *Anthony*, go on with what you have begun; tho' that ſupine, and unactive Wiſdom, as you call it, whenever I fly to it, will ſet me free. The ſhort of what I have been ſaying is this, ſays *Anthony*, ſince 'tis very plain that every Thing that can be made a Queſtion of, depends not upon the Multiplicity of Perſons, or the infinite

Variety

Variety of their Circumſtances, but upon the general Nature and Quality of the Cauſes; it does not require a great number of Rules to explain the Nature of them, a few will ſerve; ſo that thoſe who make it their Study, might know perfectly, how to form and ſet off that Speaking, which was requir'd in every Sort, with Matter and Expreſſion. The Matter itſelf will furniſh us with Words, which I always us'd to think elegant, if they are ſuch as are expreſſive of the Matter in Hand, and what that ſeems to have prompted: And if ye will have my real Sentiments of the Matter, (for I can't help ſpeaking my Opinion) we ought to bring this Way of having univerſal Heads into Requeſt, and to be us'd at the Barr, as being that whereby we ſhall be beſt able to manage Cauſes of all Sorts; nor after that any one ſhall be retain'd in a Cauſe, then for him to conſider

ſider how to muſter up Arguments, which all thoſe who will uſe a little Care and Diligence and apply themſelves heartily to it, may be thoroughly acquainted with; but yet you muſt always carry back your Mind to thoſe Heads and general Ways (which I have often already ſpoken of) which have ſo great and neceſſary an Influence on all Sorts of Pleading: And there lies the chief Point, whether it conſiſts in Art, or Obſervation, or Uſe; to know the Tract you ſhould beat in; to diſcover what you want: When you are perfect in that, if you are exactly acquainted with the uſual Cuſtoms and Practiſes you'll never be at a Loſs in any Thing, but all that belongs to the Matter will occur and fall in upon you of its own Accord. And ſo ſince there are three Things which help Invention in Speaking, Quickneſs of Parts, then Method, which you may, if you

pleaſe,

pleaſe, call Art; thirdly, Diligence. I can't but give the firſt Place to quick Parts, but yet Diligence often improves the Parts themſelves, and, of dull and heavy, makes them quick and pregnant. Deligence, I ſay, as well in all other Things, as more eſpecially in the pleading of Cauſes, is of very great Uſe; this is particularly to be obſerv'd by us; this is always to be applied; there is nothing which this can't attain to; that we may be throughly acquainted with the Cauſe, as I advis'd at firſt, we muſt uſe Diligence; that we attentively hear our Adverſary, and that we take not only his Sentences, but even every Word: In ſhort, that we watch every Change of his Countenance, which often diſcovers the Senſe of his Mind, there is need of Diligence. Yet to do that with Art and Diſſimulation, leſt he ſhould fancy with himſelf that he brings ſomething of Weight, requires Prudence. Then

that

that we may run over in our Thoughts thoſe common Places, (which I ſhall give you a Taſte of by and by) that we may come to know all the true Grounds of the Cauſe, that we may be truly careful and think of every Thing, we muſt uſe Diligence: Then add to theſe Things a Memory, as a great Help, then a Voice and Lungs; theſe are great Things, indeed; between good Parts and Diligence there is very little Room left for Art; Art only ſhews you, where you muſt look, and where that lays which you want to find out: All the reſt is in Care, Attention of the Mind, Thought, conſtant Pains, and dayly Practice. I may comprehend all in one Word, which we have often us'd, Diligence, under which one Virtue alone, all other Virtues are contain'd. For we ſee how the Philoſophers abound with Plenty of Words and Expreſſions, who, as I think, (but you are beſt acquainted

with thoſe Things, *Catulus*,) give no Inſtructions about Oratory, nor yet ever the leſs undertake to talk copiouſly and largely of any Thing they propoſe. Then *Catulus* ſays, 'tis as you ſay, *Anthony*, that there are very many Philoſophers, who are wholly ignorant in the Art of Oratory, and yet expreſs themſelves readily in any Thing they have to ſay; but *Ariſtotle*, he whom I moſt admire, lay'd down ſome certain Rules, how to find out all Ways of Arguing, not only ſuch as were fit for the Philoſophers in their Diſputes, but for us at the Barr; from which excellent Perſon you have ſeem'd all along not much to differ, *Anthony*; whether it is that you are led by the ſame divine Genius into the ſame Tract; or have read and digeſted thoſe very Rules in him; which, indeed, ſeems the more likely, for I find that you have taken more Pains in reading Greek Authors, than

than I thought you had. To tell you the Truth, anſwers *Catulus*, I always was of Opinion, that an Oratour would be more taking with, and better lik'd of by theſe People, who would firſt of all make as little Shew as could be of any Sort of ſtudied Eloquence, but none at all of the *Grecians*; and yet I thought too that 'twas more like a Brute than a Man, when the *Grecians* undertook ſuch great Matters, openly profeſs'd, and promis'd that they would ſhew Men the Way of diſcovering even the moſt exact Method of living elegantly, and ſpeaking accurately, not to give them any Attention: And tho' I did not dare profeſs myſelf their Scholar, leſt I ſhould leſſen my Eſteem amongſt my own Countrymen, yet by hearkning to them underhand, and without Suſpicion obſerving their Diſcourſes, I have ſo brought it about, *Catulus*, that I have got a ſuperficial

Taſte of all their Rules and Methods. Truly, ſays *Catulus*, you apply'd yourſelf to Philoſophy with a great deal of Fear and Caution, as to a certain dangerous Piece of Pleaſure, which theſe People of ours never deſpis'd. For *Italy* was heretofore full of *Pythagoreans*, even then when the mighty *Grecians* were in this Country, from whence ſome even gather, that *Numa Pompilius*, our King, was a *Pythagorean*, who liv'd very many Years before *Pythagoras* himſelf, and is to be look'd upon as ſo much the greater Perſon, for knowing how to conſtitute a Republick, with ſo much Prudence, before the *Grecians:* And truly there has not been born in this Country any Men more famous, in greater Repute, or better bred, than *P. Africanus*, *C. Lœlius*, *L. Furius*, who always had with them openly the moſt learn'd Men of *Greece:* And I have often heard them acknowledge, that the *Athenians* very much oblig'd

oblig'd them, as well as many other great Men of their Country, becauſe that when they ſent Embaſſadours to the Senate about ſome very important Matters of theirs, they had choſe out the three greateſt Philoſophers of that Age, *Carneades*, and *Critolaus*, and *Diogenes*; and ſo themſelves and others too had frequently heard them whilſt they were at *Rome*; whom ſince you had for your Maſters; I wonder why, like that *Pacuvian Zethus*, you have almoſt profeſs'd yourſelf an open Enemy to Philoſophy. In no wiſe, ſays *Anthony*, and I have reſolv'd rather ſo to ſtudy Philoſophy, as *Neoptolemus* in *Ennius*, with Caution, for I don't altogether like it; but yet this is my Opinion, which I ſeem to have lay'd down very plain: I don't diſapprove of thoſe Studies, ſo that they be moderate; I think to be counted a Profeſſor of thoſe Studies, or to be

ſuſpected of artificial Eloquence by thoſe who can judge right of Matters, is prejudicial to an Oratour, for it leſſens his Eſteem and Credit in what he ſays: But to bring back our Diſcourſe to the Subject we left for this; of thoſe three very famous Philoſophers whom you ſaid came to *Rome*, I remember 'twas *Diogenes*, who profeſs'd teaching the Art of diſputing well, and of diſtinguiſhing between Truth and Falſhood, which he call'd in *Greek*, διαλεκτικὴν: In this Art, if it be an Art, there is no Inſtructions how to find out the Truth by the Art of Invention; only how to know and judge of it when found out. For it ſtands thus with every Thing that we diſcourſe of, we may either ſay 'tis ſo or not ſo; and if 'tis a ſingle Propoſition, theſe Logicians Buſineſs is to find out whether it be a true one or no; if there be many join'd one to another, to determine whether the Co-

herence

herence be right, and every Inference good; and, at laſt, they kill themſelves with their own Weapons, and by going to diſcuſs too many Things together, they, at laſt, not only meet with thoſe they can't now ſolve themſelves, but even thoſe upon which they had begun before and now almoſt unravell'd, are wound up again into Intricacies. Here, therefore, that Stoick lends us no Aſſiſtance, becauſe he does not teach us how to find out what to ſay: Nay, is even a hindrance to us in the Search after it; becauſe he both ſtarts many Things which he denies can be any how ſolv'd, and then furniſhes one with no clear, eaſy, fluent Way of Speaking; but an empty, dry, chopp'd, and mangled Stuff: Which if any one will approve of at all, he will yet acknowledge it not at all fit for an Oratour. For our Way of Speaking muſt be adapted to the Multitude, fit to ſooth and

move their Minds, to prove thoſe Things, which are not weigh'd in a very nice and judicious Ballance, but in the Scales of the vulgar Sort. Wherefore let us have done with all this Art, which is too ſilent in teaching how to invent Arguments, and too noiſy in deciding Matters. I think that *Critolaus*, whom you ſay came with *Diogenes*, would ſerve better for our Purpoſe: For he was a Scholar of that *Ariſtotle*, whoſe Rules I ſeem not to differ much from; and there ſeems to be this Difference between this *Ariſtotle* (of whoſe Works I have read that Book, in which he has laid down all his Predeceſſors Method and Art of Speaking; and that too in which he has given ſome Rules of his own about the ſame Art) and theſe Brother-Maſters of this Art; that he, with the ſame Acuteneſs of Thought, in which he look'd into the Power and Nature of all other Things, penetrated into

theſe

theſe Things too, which related to the Art of Speaking, which he deſpis'd: But thoſe who thought that this alone was to be minded, dwelt upon the management of this one Thing, not with the ſame Prudence that he did, yet with much more Exerciſe and Study about this one Sort only. But however I own that that incredible Force of Speaking, and Variety of *Carneades*'s may be very much to be wiſh'd for by us; who aſſerted nothing ever in his Diſcourſe which he did not prove; oppos'd nothing which he did not confute. But this is ſomething more than can be expected from thoſe who only give Rules about, and inſtruct in theſe Things. But I, if I would have one, altogether ignorant, to be taught the Art of Speaking, I will rather give him in Charge to thoſe laborious Men, hammering with one Stroke on the ſame Anvil Night and Day, who might, as it were, put into their

Mouths,

Mouths, as Nurſes do into little Children's, all the moſt minute Particles, and every even the leaſt bit of a Rule. But if it be one, who ſeems to have been well educated, and to have ſomething accuſtom'd himſelf to it already, and to be of ſharp Parts enough, I'll have him thither, where not any little Sort of Watering may be had, but whence the whole Stream may break out upon him; to one, who ſhall ſhow him the Foundation, and, as it were, a Platform of all Ways of Arguing, and briefly illuſtrate them, and define them: For what can he ſtick at, who has ſeen that every Thing, which can be made Uſe of in Speaking, either to confirm or confute, is taken either from its own Power and Nature, or borrow'd ſomewhere elſe. From its own Nature, when the Matter, as 'tis taken all together, is examin'd, or Part of it, or the Etymology of a Word that it has, or

any

any Thing which belongs to the Matter itſelf; it's borrow'd, when thoſe Things which are foreign, and not imply'd in the Nature of the Thing, are brought in. If the Matter, as 'tis taken altogether, is upon Examination, the whole Force of it is to be explain'd by a Definition, thus: If the Majeſty, be the Greatneſs and Dignity of our Country, he violates it, who has ſurrender'd the Army to the Enemy of the *Roman* People; not he who has ſurrender'd up him that had done ſo, into the Power of the *Roman* People. But if Part, by Partition, after this Manner, we muſt either obey the Order of the Senate about the Publick Good, or ſet up ſome other Council, or take our own Courſe: Another Council is unlawful; our own arrogant: We muſt therefore follow the Counſel of the Senate. But if from a Word, as *Carbo* did; If he is a Conſul who conſults the Good of his Country, what

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elſe did *Opimius*? But if from that which may relate to the Matter, there is more Room for, and more Ways of Arguing: For we will examine into what comes under the ſame, and Things in general, and Particulars comprehended under their Generals, and Parities of Caſes, and Diſparities, and Contraries, and Conſequences, and the agreeableneſs of the Circumſtances, and the preceding Paſſages, and the Inconſiſtencies, and the Grounds and Cauſes of Things, and what is the Effect of thoſe Cauſes; and we will conſider the greater, equal, or leſs. Arguments are thus drawn from what comes under the ſame: If the greateſt Praiſe be to be beſtow'd on filial Love, ye ought to be mov'd to beſtow it, when ye ſee *Metellus* mourn with ſo much Tenderneſs of Affection. But from Generals, thus: If Magiſtrates ought to be ſubject to the Will of the *Roman* People, why do you accuſe

cuſe *Norbanus*, who obey'd the Deſires of his Countrymen in his Tribuneſhip. But from Particulars comprehended under their Generals: If all, who conſult the Good of the Publick, ought to be highly eſteem'd by us, for certain the Generals ought eſpecially, by whoſe Prudence, Valour, and endangering of their Perſons, we have our own Safety, and the Honour of the State, ſecur'd to us. But from Parity of Caſes, thus: If the wild Beaſts love and cheriſh their young ones, how indulgent and kind ought we to be to our Children. Again, from Diſparity: If 'tis for the Barbarians to conſider of nothing but every Day's Jollity, our Thoughts and Actions ought to be directed to Eternity. And, indeed, in both Sorts of *Parity* and *Diſparity*, there are Examples to be taken from others Actions, or Sayings, or Accidents; and feign'd Stories are often to be brought in. Now from Con-

Contraries: If *Gracchus* did very baſely, *Opimius* very bravely. From Conſequences: If ſuch an one was kill'd with a Sword, and you, who had fallen out with him, are taken in that very Place with a Sword all bloody, and no one is ſeen there beſides you, and no one elſe had any Reaſon to do it, and you were always a profligate Raſcal; Why ſhould we doubt of the Fact? From the Agreeableneſs of the Circumſtances, the preceeding Paſſages, and Inconſiſtences: As heretofore, *Craſſus*, then but a Youth, argued: Nor, tho' you did ſtand up for *Opimius*, *Carbo*, will they therefore reckon you a Man of good Pinciples; 'tis evident, that you only pretended to be ſo, and had ſome other Thing in your Eye; becauſe you often in your publick Harangues deplor'd *T. Gracchus*'s Death, becauſe you were an Aſſiſtant in killing *P. Africanus*, becauſe you made ſuch a Law in your Tribune-

Tribuneſhip, becauſe you always diſſented from Men of honeſt Principles. But from the Cauſes of Things, thus: If you will remove Avarice, you muſt remove Luxury, the Mother of it; then from thoſe Things which follow from the Cauſe, if we uſe a full Treaſury as a neeeſſary Aſſiſtance for War, and an Ornament in Times of Peace, let us mind the Taxes. But we ſhall get Arguments by comparing the greater, and leſs, and equal; thus from the greater; If a good Character is better than Riches, and Money is ſo much wiſhed for, how much more is Honour to be wiſh'd for? From a leſs thus; "He, on Account of a ſmall Acquain-"tance, with ſo much Affection la-"ments her Death, what if he had "really lov'd her? What will he do "for me his Father?" From an equal thus; 'Tis the ſame Thing, in Effect, both to take away and to beſtow Money contrary to the Intereſt of

of the Publick. But thoſe Arguments are borrow'd, which are not taken from their own Strength, but anothers; as thus, this is true, for *Q. Lutatius* ſaid it; this is falſe, for it has been examin'd into; this muſt neceſſarily follow, for I repeat the Writings; of all which I have ſpoken a little before: Theſe Directions have been laid down by me as briefly as poſſible. For as if I would ſhow any one of ſome Gold, which might be dug up in many Places, it ought to be enough, if I gave them the Marks and Signs of the Places, which being known, he might dig for himſelf, and find what he would have, with a very little Pains, without any Miſtake. So I have laid down thoſe Directions for Arguments, which ſhew thoſe who look after them, where they lie; the other Things are drawn out by Care and Attention of Mind. But what Sort of Arguments are moſt ſuitable to

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all Sorts of Caſes, is not now to be preſcrib'd by the Nicety of Art and Skill, but may be judg'd of by Men of indifferent Parts; for neither do we now endeavour to draw any Scheme of Oratory, but only to give theſe moſt learned Gentlemen, as it were, ſome Shew of our Practiſe: Theſe Rules, therefore, being well fix'd in our Mind and Thoughts, and made Uſe of in every Thing propos'd to be ſpoken to, there will be nothing that can eſcape an Oratour, not only in the pleading at the Barr, but in any Sort of Diſcourſe whatever. But if he ſhall arrive at that Pitch of Art as to make himſelf ſeem to be ſuch an one as he would ſeem to be, and ſhall ſo affect their Minds whom he has to do with, that he may be able to draw or lead them whither he pleaſes; he will require nothing elſe to qualify him for Speaking. Now we ſee that 'tis in no wiſe ſufficient to think of what to ſay, unleſs you can manage that Thought to

Advantage: But the managing ought to be various, that your Auditour may neither perceive your Art, nor be tir'd with the ſame over and over again. You ought to propoſe what you aſſert, and then make out why 'tis ſo; ſometimes to conclude according to the ſame Way; at another Time to leave that, and go to ſome other; oftentimes not to lay down the Propoſition, but, in bringing the Enforcement, to ſhow what was to have been propos'd: If you bring in a Simile to any Thing, firſt you ſhould make out the Simile, and then draw the Parallel; you ſhould often conceal your Ways of arguing, leſt any one be able to find them out; that in Reality they may be diſtinct and clear, tho' they ſeem to be confus'd and huddled up. Theſe Things I run over in Haſte before ſuch able Men, tho' I am but half a Scholar myſelf, that I may the ſooner come to thoſe more weighty Matters: For there is nothing, *Catulus*, that makes more for

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an Oratour, than that the Auditour have a favourable Opinion of him, and that he be ſo mov'd, as to be ſway'd by a certain Tendency of Affection, and Hurry; rather than ſober Reaſon and Judgment; for Men judge of many more Things by their Averſion to a Thing or Eſteem of, or Love for it, or their Anger at, or the Pleaſure they take in it, or Hopes, or Fears, or by Miſtake, or any Affection of the Mind; than by Truth, or Preſcript, or any Rule of Juſtice, or Form of Judgment, or ſtanding Laws. Wherefore unleſs you have a Mind for ſomething elſe, let us proceed to theſe Things. Even ſtill, ſays *Catulus*, there ſeems to be ſome ſmall Matter omitted in thoſe Things you have been laying open, which may deſerve a clearing up before you fall upon that, which you ſay you intended: What is that, ſays he? The Order and Method of arguing, ſays *Catulus*, you moſt approve of, in which you always us'd to ſeem to me ſo di-

vine. Oh! Mr. *Catulus*, obſerve now, how divine I can be in that Way: Truly it never had enter'd into my Thoughts, unleſs you had put it into them; that you may imagine that I uſed, by my Practice in Speaking, to get, or rather by Chance, to fall into thoſe Ways, in which I ſometimes ſeem to make ſomething of it: But, indeed, this Thing, which becauſe I did not rightly underſtand it, I paſs'd by as I do a Perſon I know nothing of, has ſo mighty an Influence in Speaking, that nothing can help a man more in the gaining his Point. But you ſeem to have requir'd an Account of Order and Method before your Time; for had I lay'd the whole Streſs of an Oratour upon Arguments, and proving the Thing by itſelf, 'twould have been fit for me now to ſpeak ſomething of the Order and Diſpoſition of Arguments; but ſince there were three Things propos'd by me and I have ſpoken but to one, when I have ſpoken to the other

two,

two, then, at laſt, we will come to conſider of the forming the whole. 'Tis therefore very winning and engaging to have the Manners, Ways, and Actions, and Life of thoſe who plead, and of thoſe too for whom they plead, well approv'd of; and likewiſe to have the Adverſaries diſapprov'd of; and for their Minds, before whom you plead, to be very well diſpos'd to a good-liking as well of the Oratour, as of him, whom the Oratour ſhall ſpeak for: But they are diſpos'd to like any one from the Worth of his Perſon, his Actions, and the good Character of his Life; which can be much eaſier ſet off, to Advantage, if they are really in him, than feign'd, if there be none. But theſe Things make very much for an Oratour, a ſoft Voice, a Countenance that carries Modeſty in it, a ſmooth Language; if you perſue any Thing with more Heat than ordinary, you ſhould ſeem to have a force put upon you, and to do it againſt your Will;

'Tis a very great Advantage to you to ſhew yourſelf to be of an eaſy, Gentleman-like, mild, pious, grateful Temper, not craving, nor over-greedy; and every Thing that looks like an honeſt, humble, not fierce, not poſitive, not litigious, not a quarelſome Man, gains you a great deal of Favour, and loſes thoſe it, who want theſe Things: Therefore you muſt bring a Charge of the contrary Vices againſt your Adverſaries. But all this Way of Speaking will be of a more excellent Uſe in thoſe Caſes where the Mind of the Judge is leſs apt to be mov'd up by a ſharp, and a certain vehement rouſing of him, for a violent Way of Speaking is not always requiſite, but oftentimes a pleaſant, low, mild Way is that, which very much recommends the Defendants; but I call not only thoſe Defendants, who are accus'd of any Crime, but all who have any Action depending, for that was the Term us'd heretofore. To repreſent them, therefore, in their

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Manners juſt, upright, pious, and humble, patiently bearing Injuries, has a certain wonderful Influence: This, tho' brought in at Firſt, or in the Middle, or at the Cloſe of all, is of ſo great Weight, if manag'd with Art and Prudence, that it often prevails more than the Goodneſs of the Cauſe itſelf; but there is ſo much in a certain Feelingneſs and Way of Delivery, that the very Speaking ſhews, as it were, the Manners of the Oratour: For they bring it about by a certain Sort of Sentences, and a Sort of Words, adding a gentle Action, and ſuch as may ſhew Coolneſs of Temper; that they ſhall ſeem to be honeſt, nay of good Morals, nay Men of Conſcience. But there is beſides this that different Way of Speaking which affects the Minds of the Judges; ſome other Way, ſo as to make them have an Averſion for, or Liking to, or Envy, or wiſh Well to, or fear for, or deſpiſe, or deſire after, or abhor, or rejoice at, or grieve for, or pity, or be

willing to puniſh, or be mov'd to thoſe Paſſions, if there be any near of Kin to and any Way related to theſe, and ſuch other Affections of the Mind. And this is to be wiſh'd for by an Oratour, that the Judges themſelves may bring to the Cauſe ſuch a Temper of Mind, as is well diſpos'd to that, which will be for the Oratour's Advantage to offer; for 'tis eaſier, as they ſay, to help him forward when he is once a going, than to move him when he ſtands ſtill. But if that ſhall either be, or not be known to be; as by a careful Phyſitian, before he endeavours to apply a Cure to his Patient, not only his Diſtemper which he is to cure, but alſo his Way of living, when well, and his natural Temper of Body is to be examin'd into: So truly when I undertake in a doubtful Caſe, and of great import, to work upon the Minds of the Judges, I employ my whole Mind in this Thought and Care how I may ſmell out, as exactly as I can, what they think, what they ima-

imagine, what they expect, what they would have, whither they ſeem to be able moſt eaſily to be brought by Perſuaſion: If they are yeilding, and, as I ſaid before, favour and incline to that, to which we are bringing them, I take hold of the Advantage offer'd, and ſet forward that Way, whither we have any Thing of a Wind to carry us; but if the Judge be diſintereſted and wholy unbyaſs'd, we have a harder Part to play, for all the Motions are to be made by the meer Force of Words, his Diſpoſition not at all helping us. But that Art of Speaking which is rightly call'd by a good Poet, *Flexanimous*, and the Miſtreſs of all Things, is of ſo great Force, that it cannot only recall one inclining, or incline one unmov'd before, but, like a true and noble Commander, even take him of the contrary Side, directly oppoſing him. Theſe are ſuch Things, which *Craſſus* in Jeſt, I ſuppoſe, but now requir'd of me, which he ſaid us'd to be divinely

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put in Practiſe by me; and in the Caſe of *M. Aquilius*, and *C. Norbanus*, and ſome others commended them, as if they were admirably acted: Which truly, *Craſſus*, when they are us'd by you in Cauſes, I uſe to dread: Such Earneſtneſs of Mind, ſuch Vehemence, ſuch Grief us'd to be ſhown in your Eyes, Looks, Geſture, in ſhort, in that very Finger of yours; Then ſuch a Fluency of the moſt weighty and beſt Words, Sentences ſo perfect, ſo true, ſo unuſual, ſo without Flouriſhes, and childiſh ſettings off, that you ſeem'd not only to inflame the judge, but to be all on Fire yourſelf. For neither can it be brought about that any Auditour ſhould grieve, that he ſhould hate, that he ſhould envy, that he ſhould fear any Thing, that the ſhould be mov'd to Sorrow or Pity, unleſs all thoſe Paſſions, which the Oratour would raiſe in the Judge, ſeem to be impreſs'd on and to have affected the Oratour himſelf: But if you ſhould undertake to act any

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Pretence of Grief, and if in ſuch a Sort of a Speech there ſhould be nothing but what is falſe, and that varniſh'd over with the Reſemblance of Truth, ſome greater Skill would be requiſite perhaps. Now I don't know, *Craſſus*, how 'tis with you, and how with others; but for my Part, there is no Reaſon why I ſhould lie before ſuch very ſenſible Men, and whom I ſo much eſteem; truly I would never pretend to raiſe, by my Eloquence, either Grief, or Pity, or Envy, or Hatred in the Judges; but that I myſelf, whilſt I was moving the Judges, ſhould be mov'd with thoſe very Paſſions to which I would bring them. For neither is it an eaſy Matter to bring it about ſo that the Judge ſhould be angry with whom you pleaſe, if you yourſelf ſeem to bear it without being mov'd at it; nor that he ſhould hate whom you will, unleſs he ſee you firſt raging with anger againſt him; nor will he be mov'd to Pity, unleſs you ſhew him Signs of your Grief in your Words,

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Sentences, Voice, Looks, in ſhort, your very crying; for as no Fewel is ſo eaſy to burn, which can take Fire, unleſs you put Fire to it, ſo there is no Mind ſo ready to receive the Impreſſion of the Oratour's Force, which can be incens'd, unleſs you yourſelf, enrag'd, and all in Flames, apply to it. And leſt perhaps this may ſeem to be a great and ſtrange Matter, that a Man ſhould be ſo often angry, ſo often grieve, be ſo often mov'd with every Paſſion of the Mind, eſpecially in others Concerns; there is ſuch a ſtrange Virtue in thoſe Sentences and thoſe Subjects which you manage and treat of in your Diſcourſe, that there is no Need of Diſſimulation or hypocriſy; for the very Nature of that Speech which is us'd to move others Minds, moves the Oratour himſelf even more than any of thoſe who hear him. And that we mayn't wonder that this happens ſo in Cauſes, in Tryals, in the Pleadings for our Friends, before a great

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Concourſe of People, in a publick Place in the City, at the Barr, when not only our Reputation for Parts and Abilities of Mind is at Stake, (for that that would be of leſs Value) tho' when you have pretended to be particularly eminent; not ſo much as that is to be neglected; But there are other much greater Things, Faithfulneſs to our Truſt, a due Diſcharge of our Function, earneſt Care in it; upon Account of which, even when we are retain'd by thoſe that are very great Enemies to us, yet, if we ourſelves will be reckon'd honeſt good Men, we can't eſteem them Enemies. But as I ſaid that this mayn't ſeem to be ſtrange in us, what can be ſo falſe and counterfeit, as the Verſes, as the Scenes, as the whole Plays themſelves? Yet I myſelf have often ſeen in this Kind, when the Eyes of him that acted that Part ſeem'd to ſparkle with Fire whilſt he was ſpeaking theſe *Spondalia*'s,

Did

Did you dare ſeparate him from you?
And enter Salamis *without him?*
And did not dread your Father's Sight?

He never mention'd that Sight, but that *Telamon* himſelf ſeem'd to me to be in a great Paſſion, raging with Grief for his Son. As the ſame, in a miſerable Tone,

Whom in his declining Age depriv'd of his Children,
You have vex'd, bereaved, and undone.
Nor do you mind your Brother's Death, nor that poor tender Child
Which was committed to your Care.

ſeem'd to ſpeak all in Tears and full of Grief: Which Things, if that Stage-Player, tho' he acted every Day, yet could never act well without being affected with Grief; what do you think, *Pacuvius*, whilſt he was compoſing could be cool and unmov'd in his Temper? It could

could not be. For I have often heard (as they ſay *Plato* and *Democritus* have it in their Writings) that no one can be a good Poet without Fire in his Temper, and without a certain, as it were, Inſpiration with Fury. Wherefore don't you think that I myſelf (who would not imitate and repreſent in my Diſcourſe any Heroes old Misfortunes, and fabulous Griefs, nor would I be an Actor under the Perſon of another, but only repreſent my own, (when *M. Aquilius* was to be retain'd in the Privileges of the City) could do, what I did in the Management of that Cauſe, without a great deal of Grief. For whom I had remembred to have been Conſul; ſaluted Imperator by the Senate; to have gone up in Triumph to the Capitol; when I ſaw this very Man in Diſtreſs, brought low, dejected with Sorrow, reduc'd to the utmoſt Extremity: I did not endeavour to raiſe Pity in others before I was mov'd with Pity myſelf; truly I perceiv'd that the Judges were

were then very much affected, when I brought in the old Man diſconſolate, and cloath'd in Sable; and when I did thoſe Things, which you, *Craſſus*, commend; not by any Art, of which I don't know what to ſay, but by a great Earneſtneſs of Mind, and Exceſs of Grief; that is, as it were, tear off his Cloaths and ſhew his Scars. When *C. Marius* being preſent and ſetting by, much enliven'd the Dolefulneſs of my Speech by his Tears; and when I often calling upon him recommended his Collegue to him, and invok'd his Aid to defend the common Eſtate of Generals, This Commiſeration and imploring of all the Gods, and Men, and Citizens, and Allies, was not without Tears of my own, and great Expreſſions of Grief; at the ſaying of all which, if my own Crief had not been made to appear, what I had ſaid would have been ſo far from raiſing Pity, that it would have been ridiculouſly merry. Wherefore, *Sulpitius*, I tell you I for-

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ſooth that good and learned Maſter, that ye ſhould be able to be angry in your Speaking, to be ſorry, to weep; tho' indeed why ſhould I go to tell you this, who, in your Accuſation of my Companion, made the Aggravation ſo great, not only by your Words, but much more by your violent Action, and Grief, and Heat of Mind, that I could ſcarce dare to undertake to leſſen or allay it: For you had then the better in every Part of the Cauſe, you alledged the Aſſault, Baniſhing, Stoning, inſupportable Cruelty of the Tribune in *Cæpio*'s ſad, and miſerable Caſe: That 'twas evident that *M. Amilius*, a great Man in the Senate and City, was ſtruck with a Stone, and that *L. Cotta*, and *S. Didius* were driven, by the Violence of the Mob, out of the Temple, when they would have prohibited the paſſing of the Act, is what no one could deny. Add to this, that you being a young Man, was thought to make theſe Complaints in Behalf of the Republick, with

a great deal of Honour: I having been Cenſor, could hardly, with the Preſervation of my Credit and Eſteem, appear in Defence of a ſeditious Perſon, and one that had been ſo cruel to a diſtreſs'd Nobleman. The Top of the City were the Judges, the Court was full of worthy Men, that ſo there was ſcarce any ſmall Room given me for an Excuſe, only that I defended him, who had been my Quæſtour. Here what ſhall I ſay that I us'd any Art? I will tell you what I ſaid; if you pleaſe you ſhall have my Defence to be ſomething of an Art. I muſter'd up all Sorts of Seditions, diſplay'd their Baſeneſs, and dangerous Conſequences, and trac'd that Subject thro' all the various States and Revolutions of our Republick, and I ended all with this Concluſion, that altho' all Seditions were always troubleſome, yet there were ſome juſt, and almoſt neceſſary. Then I did thoſe Things, which *Craſſus* juſt now ſaid I did; that neither the Kings could have been

been drove out, nor the Tribunes of the Common-People created, nor the Power of the Nobles ſo often reſtrain'd by the Decrees of Commoners, nor the Appeal, that Guard of our Privileges, and Defender of our Liberties, been granted to the *Roman* People, without the Diviſion from the Nobles. And if thoſe Seditions had been advantageous to this Republick, it ought not immediately to be reckon'd a flagitious Villainy, and a Capital Crime in *Norbanus*, if any Party of the People had been rais'd by him. But if 'twas ever allowed to the *Roman* People, that they might be thought juſtly to riſe, as I ſhew'd it was often allow'd, there was no Cauſe more juſt than this; then I alter'd the whole Thread of my Diſcourſe, and betook myſelf to inveighing againſt *Cæpio*'s Flight, and deploring the Deſtruction of the Army. So I both by this Diſcourſe reviv'd their Grief, who were lamenting the Loſs of their Friends, and rekindled in the Minds

of the *Roman* Gentlemen, before whom as Judges the Cauſe was then try'd, Anger and Hatred againſt *Cæpio*, whom they had already taken a Diſguſt to. But when I perceiv'd that I was well-gounded, and had got firm Footing in the Tryal, and able to make my Defence good; that I had both gain'd the good-will of the People, whoſe Right and Privileges I had defended at the ſame Time with the Sedition, and had quite brought over the Judges, touch'd either with the Miſeries of the City, or their Grief and uneaſy Concern for their Friends, or by Reaſon of their great Averſion to *Cæpio*, to favour our Side; I then began to add to this vehement and forcible Way of Speaking, that other mild and eaſy one, of which I ſpoke before: That I ſtrove for my Friend and Companion, which, according to the Cuſtom of our Anceſtors, ought to be to me as my Children, and for almoſt all my Reputation and good Eſtate in this World, that nothing could

could caſt a more ſcandalous Blot upon my good Name nor more embitter my Sorrow, than for me, who was reputed to have often protected thoſe that were very great Strangers to me, upon Account of their being my Countrymen, not to be able to aſſiſt my Friend and Companion: I begg'd of the Judges that they would excuſe me upon Account of my Age, upon Account of my Circle of Honour, and the good Service I had done my Country, if they ſaw me affected with a juſt and pious Concern; eſpecially ſince they knew very well, that in all other Cauſes, I did all I could for the Sake of my Friends, nothing for my own. So in all that Defence and Cauſe, I did but very ſlightly touch upon what belong'd to Art, which would have directed me to have inſiſted on the *Apuleian* Law, and to have explain'd the Nature of High Treaſon: I manag'd that whole Cauſe by thoſe two Ways of Speaking, one of which contains a vehement rou-

ſing, the other a gentle Inſinuation, which are not in the leaſt aſſiſted by the Precept of Art; ſo that I both ſeem'd very violent and hot whilſt I was reviving the Odium againſt *Cæpio*, and very mild whilſt I was declaring my good Affection for my Friends: So, *Sulpitius*, I weaken'd the Force of your Accuſation rather by affecting, than informing the Minds of the Judges. Here *Sulpitius*; That's very true, *Anthony*, what you ſay, for I never ſaw any Thing which ſo ſlip'd out of my Hands as that Cauſe ſlip'd from me; for when, as you ſaid, I had firſt made it my Buſineſs not to examine but to aggravate. What a Beginning did you make? Oh ye immortal Gods! what Fear? What Doubting? What a ſtrange Heſitation, and drawing out your Words? How did you at the very firſt Entrance inſiſt upon that, which was the only Thing could make the People pardon you for the undertaking ſuch a Cauſe, that you pleaded for a very intimate Acquaintance,

one

one that was your Quæſtour? What a Method did you firſt of all uſe to ſecure yourſelf a Hearing? But Oh, when I thought that you could only bring it about, ſo as to make People excuſe your defending a turbulent, ſeditious Subject, upon Account of your great Acquaintance with him; you began ſlily to creep forward, others indeed not at all ſuſpecting it, but I now very much fearing it, ſo as to make it out that that was not a Sedition of *Norbanus*'s, but that that was the Reſentment of the *Roman* People, nor that an unjuſt one, but what was due and deſerv'd. Then what Opportunity did you omit of inveighing againſt *Cepio?* How did you every where intermix what might raiſe Hatred, Envy, and Pity? Nor did you only act ſo cunningly in your own pleading, but alſo in the Caſe of the Witneſſes, *Scaurus* and the reſt, whoſe Evidences you confuted, not by diſproving them,

but by turning it upon the ſame Outrage of the People. Which Things ſince they were juſt now related by you, truly I deſire no Rules about them, for I think that that very Demonſtration of your Ways of pleading, laid down by yourſelf, is no indifferent Leſſon of Inſtruction. But if you ſo well approve of it, ſays *Anthony*, we will tell you what Things we us'd to obſerve in our Speaking, and what we us'd chiefly to mind, for now a long Experience and Practice in Matters of the greateſt Moment, has taught us ſo much that we ſhould know what Things Men's Minds are affected with. Truly I us'd firſt of all to conſider whether or no the Caſe requires it, for neither are theſe violent Ways of Speaking to be us'd upon trifling Occaſions, nor when Men are ſo prejudic'd, that we can work nothing upon them by whatever we ſay, leſt we incur Deriſion or Hatred; if we either act the Tragedian in comical Matters, or endeavour to pluck

out

out that Opinion which can't be alter-ed. For becauſe theſe Things are moſt commonly to be rais'd, by our Speaking, in the Minds of the Judges, or whoſo-ever thoſe ſhall be before whom we ſhall plead; to Wit, Love, Hatred, Anger, Envy, Pity, Hope, Joy, Fear, Trou-ble; we perceive Love to be gain'd, if you ſeem to ſpeak up for that which may be for their Advantage, before whom you plead; if you ſtrive hard ei-ther for worthy good Men, or for thoſe truly who may be of Benefit and Ad-vantage to them, for this gains their love more; that Defence of Virtue, their Eſteem; and it prevails more with them, if the Hopes of any future Ad-vantage is propos'd, than the relating of a paſt Kindneſs. You muſt endea-vour to ſhew too that there is either Worth or Advantage in the Thing you defend; and you may hint too that the Perſon towards whom you are re-conciling this Eſteem, had no Regard to his own Advantage, and did nothing at

all

all for his own Sake: For we envy the Promotion of the Men themſelves, but we like their Deſires to help others. And here we muſt take Care that we don't ſeem to extoll too much their Praiſe and Glory, which is wont to draw Envy very much, of thoſe whom we would bring into Eſteem for their good Actions; and we muſt learn to make the ſame Matter an Occaſion of encreaſing Hatred towards the other Side, and of removing it from us and our own, and theſe ſame Ways are to be us'd in either raiſing or allaying Anger. For if you enlarge upon that which may be prejudicial or diſadvantageous to the Auditours, you bring an Odium upon yourſelf; but if you inveigh againſt worthy Men, or thoſe whom every one ought by no Means to ſpeak againſt, then is created, if not ſo bitter an Hatred, yet a Spice either of Envy or Hatred not much different from it. Likewiſe Fear is impreſs'd upon them, either from a Repreſentation of their own

own Danger, or of the Common; that of their own is more hearty, but this of the Common too is to be reckon'd of the ſame Kind with the other. There is one and the ſame Way of raiſing Hope, Joy, Trouble; but I don't know whether the kindling of Envy be not the moſt difficult, nor is there Need of leſs Power in quenching than in kindling it. But Men are moſt apt to envy Equals or Inferiors, when they ſee themſelves left below thoſe, and that theſe are mounted above them: But we often very much envy even Superiors, and ſo much the more if they are intolerably proud, and will be above the fair Rules of common Juſtice, by Reaſon of the Supreminency of their Honour and Fortune, which if they are to be aggravated we muſt inſiſt very much upon it, that they were not gotten by honeſt Induſtry; nay even by ſiniſter and ſcandalous Practices; then if theſe Actions ſhall be ſomething honourable and worthy, that no Merits are ſo much

much Worth as to countervail for a proud and ſcornful Temper: But if you would leſſen it, that thoſe Things coſt him great Hardſhips, great Dangers in the getting them, nor were they beſtow'd to increaſe his own Eaſe and Advantage, but that of others; and that he, if he ſhould ſeem to have gotten any Honour, tho' that is but the juſt Reward of dangerous Enterprizes, yet he was not greatly affected with it, but ſlighted and rejected it; and we muſt by all Means bring that about (becauſe there are a great many envious Perſons, and this is a very common and continually reigning Vice) (but we envy a great and flouriſhing Condition) that this Opinion be taken off, and that that Heighth of Fortune, ſo excellent in the Opinion of the World, be ſhewn to be ſet with Thorns, and ſurrounded with Cares and Vexations. Now Pity is mov'd, if the Auditour can be brought to call Home thoſe Things which we are bemoaning of another to

his

his own Caſe, wherein he has undergone, or fears the ſame Misfortunes, that ſo whilſt he conſiders the other's Caſe, he may often look back upon his own. For ſo when the particular Caſes of human Miſeries are look'd upon as hard and grievous, if they are repreſented in a melancholly Strain, then Virtue in Diſtreſs and Affliction is very deplorable, and, as I have often ſaid, you ought to ſpeak gently and modeſtly, when you would maintain the Character of an honeſt good Man, by commending Sincerity and fair Dealing; ſo when you would beat them off from any Opinion, you muſt uſe ſome Warmth and Earneſtneſs. But there is a ſtrange Agreement between theſe two, one of which we denominate gentle, the other vehement; ſo that they can't ſo eaſily be diſtinguiſh'd, for we ought to flow with ſome of that Gentleneſs, which we uſe in inſinuating ourſelves into the Favour of the Auditours, even in our moſt vigorous Attacks;

tacks; and there ſhould be ſome Spirit and Vigour to heat and animate our moſt cool Perſwaſions; nor is there any better temper'd Way than to ſeaſon the cloſe and rigorous Reaſoner, with a Gentleman-like Candour and Civility, and to recommend your ſoft eaſy Way of expreſſing yourſelf, by the Weight and Strength of your Diſcourſe. But in both Kinds of Speaking, as well in that, in which there is Force and Heat requir'd, as in this, in which you are to recommend your Life and Converſation, you muſt begin moderately, and cloſe with thick and home Strokes. For neither muſt we immediately fall into that moving Strain, (for 'tis wholly foreign to the Purpoſe) and People are at firſt willing to have Things left fairly to their own Judgment, nor when you have once begun upon it, muſt you ſoon give it over: For 'tis not here as in Arguments, which, as ſoon as laid down, are taken and another is requir'd; but you cannot ſo raiſe

Pity,

Pity, or Envy, or Anger in any one as ſoon as you ſet upon them; for the very Reaſon of the Thing itſelf ſtrengthens and ſettles the Argument, which as ſoon as produc'd, adheres to it; but your addreſſing yourſelf in the other Way is, not to inform the Judge, but rather to amuſe and confound him, which no one can do but by a long, artificial, copious Harangue, preſs'd on him with the moſt earneſt Action. Wherefore thoſe who talk conciſely or gently, may inform the Judge, but can never move him, which is the main Point. It is very plain, that the ſame Art and Method of arguing make for and againſt in any Subject. But we muſt anſwer any Argument either by finding Fault with the Validity of thoſe Things which are brought to prove any Thing, or by demonſtrating that the Concluſion they would draw, is not to be made, nor does rightly follow from the Premiſes; or if you can't ſo confute your Adverſary you muſt alledge ſomething on the

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contrary Side, which may be either of greater, or as great Weight. But thoſe Things which are done in your gentle Inſinuations for to win, or your furious Attacks for to move your Auditours to any Thing, are to be brought about by changing the contrary Paſſions, ſo that a hateful Averſion may ſucceed a ſtrong Inclination to a Man, and a tender Pity the moſt devliſh Envy.

ERRATA.

PAGE 15. *Line* 22. *read*, When, in ſhort, will you have nothing at all to do. *P.* 36. *l.* 6. *r.* tho' much; *l.* 7. *for* tho', *r.* and. *P.* 42. *l.* 6. *dele* of. *P.* 120. *l.* 13. *r.* if that ſhall either not be.